



# 13 ENDEAVOUR ROAD, CARINGBAH

Planning Proposal Report

Prepared for  
**ALIRO GROUP**  
16 November 2021



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# 1. INTRODUCTION

## 1.1. OVERVIEW

The report has been prepared by Urbis Pty Ltd on behalf of Aliro Group (**the Proponent**) in support of a Planning Proposal to amend the *Sutherland Shire Local Environmental Plan 2015* (SSLEP 2015) for land forming part of a 12.38 hectare landholding at 13 Endeavour Road, Caringbah.

The site was previously known as 'Toyota Woollooware Bay' - reflecting the vehicle manufacturers long term use and occupation of the site. Toyota Motor Corporation Australia occupied the site between the late 1980's - 2019 when Toyota announced it would cease manufacturing vehicles in Australia, therefore making the site operationally redundant. The existing site improvements reflect Toyota's former use of the site and comprise a parts warehouse and distribution centre, a training facility, sales offices and administration centre and associated internal roads and at grade car parking/ loading docks in a landscaped setting.

The site was acquired by Aliro Group in early 2020, who is seeking to repurpose the site into a true business park model, made of four interconnected employment precincts, that is highly consistent with the B7 Business Park zoning of the site (refer **Figure 1**).

Figure 1 Preferred Concept Plan



Source: Urbis

Aliro Group's vision for the is to facilitate the development of a world class business park that provides a variety of building forms that cater for a range of employment types including industrial/ manufacturing, office, high-tech, filming, scientific and creative industries and distribution and warehousing amongst an activated ground plane.

Critical to the success of a new employment precinct is the creation of a high-amenity and vibrant place that attracts tenants and employers to the area. Owing to the scale of the site, integration of strategically aligned

hotel or motel accommodation along with pubs and function centres can be accommodated on the site while not undermining the primary employment role of the site.

In addition, to maximise fitting the permissible floor space on the site, greater building height is required beyond the current 16m height control. This Planning Proposal will be accompanied by a Voluntary Planning Agreement (VPA) to be entered into between Aliro Group and Council for the dedication of 3,000sqm of land for the purposes of public open space. The floor space that would have been achieved prior to the land being dedicated is to be redistributed to the site, resulting in the need for a minor adjustment to the floor space ratio control.

Therefore, the intended outcome of this Planning Proposal is to amend the SSLEP 2015 as follows:

- An addition to Schedule 1 Additional Permitted Uses to facilitate the permissibility of 'hotel or motel accommodation', 'pub' and 'function centre' up to a maximum GFA of 12,500m<sup>2</sup> on the site.
- Increase the maximum height of buildings control from 16m to part 25m, 30m and 50m
- Increase the maximum floor space ratio control from 1.5:1 to 1.53:1.

The Planning Proposal does not seek any change to the B7 Business Park zoning of the site or the maximum GFA achievable by applying a 1.5:1 Floor Space Ratio development standard. The amendment to the FSR development standard does not result in an increase in GFA compared to what is achievable on the site at present. The proposed amendment would facilitate a range of building forms that more appropriately aligns with the intended FSR, as well as enabling some complimentary land uses that are a critical success factor to the establishment of a new business park and undersupplied within the area.

This report has been prepared to assist Council in preparing a Planning Proposal to amend the height of building development standard, and permitted land uses specific to the site and under the *Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015)*, in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

## 1.2. PROJECT OBJECTIVES

The primary objective of the project is to facilitate the development of a world class business park precinct on one of the Sutherland Shires largest and singly owned commercial landholdings. The business park is intended to be a catalyst for high order employment within the LGA, with knowledge jobs of the future, and complimentary hotel or motel accommodation, pub and function centre uses.

The key objectives and intended outcomes are:

- To truly deliver on the intent of the B7 Business Park zone by creating a unique and high-quality destination hub and business park in a coastal / landscape setting.
- Stimulate re-activation of a significant site that is presently vacant and underutilised.
- Support the containment of jobs within the Sutherland Shire and facilitate substantial higher order employment opportunities that is akin to the Shire's resident workforce.
- Cap the amount of currently non-permissible land uses to ensure their role is to serve the anticipated and existing workforce within the Caringbah/ Taren Point industrial precinct and that they are complementary to the site.
- Facilitate land uses that activate the site during the evenings and on weekends.
- Provide hotel or motel accommodation that leverages proximity to the Coastal Destination Area and key tourism assets.
- Enable building heights that facilitate a range of building forms to be established to respond to the role and function of the various employment precincts within the site.
- Ensure building heights match the permissible density so that employment floor space is maximised.
- Establish a transition in building heights towards the boundary to manage the environmental impacts to sensitive interfaces.
- Leverage proximity to the Woollooware Bay shared pathway and create opportunities for publicly accessible links through the site.

- Preserve and improve the site's significant ecological values through buffers around ecological communities and the strategic positioning of compatible land uses.

### 1.3. PLANNING PROPOSAL HISTORY

The Proponent lodged a previous version of the Planning Proposal in September 2020. Following post lodgement discussions with Council officers, the Planning Proposal was amended and reviewed by the Local Planning Panel (LPP) on the 16 March 2021 where it was recommended that the planning proposal in its current form lacked strategic merit and should not proceed to Gateway.

On the 24 May 2021, Sutherland Shire Council considered a report from Council officers which recommended further changes to the Planning Proposal in response to the LPP advice. The Planning Proposal was endorsed to proceed to Gateway subject to the proposal being amended to address a range of matters.

On the 16<sup>th</sup> June 2021, Sutherland Council lodged the planning proposal with the Department of Planning Industry and Environment (DPIE) seeking a Gateway Determination and requesting Plan Making Authority. The planning proposal underwent an adequacy assessment and was considered adequate on 23 June 2021. A Gateway Determination with conditions was subsequently issued on the 18 August 2021.

This report has been amended since the original publication in September 2020, following the issue of the Gateway Determination by DPIE in August 2021. The Planning Proposal, the draft Development Control Plan (DCP) and the accompanying documentation has been refined to address the conditions of the Gateway Determination.

### 1.4. REPORT STRUCTURE

This Planning Proposal request has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and the Department of Planning, Industry and Environment guidelines '*Planning Proposals: A guide to preparing planning proposals*' dated December 2018.

As required by Section 3.33 of the EP&A Act, this Planning Proposal request includes the following:

- Overview of the site history, description of the site and its context.
- Outline of the statutory and strategic planning context.
- Description of the proposed vision and indicative concept.
- Description of the proposed amendments to the SSLEP 2015 supported by sufficient detail to indicate the effect of the amendments.
- Statement of the objectives and intended outcomes of the proposal.
- Explanation of the provisions of the proposal that are to be included in the LEP.
- Summary of the justification of the proposal, including an environmental assessment.
- Description of the community consultation process that would be expected to be undertaken before consideration is given to making of the planning instrument.
- Indicative project timeline.
- Conclusion and justification.

### 1.5. SUPPORTING DOCUMENTATION

This Planning Proposal request is supported by the following documentation:

- Completed Application for Rezoning Form.
- Survey Plan prepared by Land Partners, refer to **Appendix A**
- Urban Design Report prepared by SJB, refer to **Appendix B**
- Landscape Masterplan prepared by Habit8, refer to **Appendix C**

- Transport Assessment prepared by McLaren Traffic Engineering, refer to **Appendix D**
- Economic Benefits Assessment prepared by Urbis, refer to **Appendix E**
- Remedial Action Plan prepared by JBS&G, refer to **Appendix F**
- Geotechnical Report prepared by Pells Sullivan Meynink, refer to **Appendix G**
- Ecology Assessment prepared by Eco Logical, refer to **Appendix H**
- Civil Concept and Impact Assessment prepared by Sparks & Partners, refer to **Appendix I**
- Site Specific Development Control Plan prepared by Urbis, refer to **Appendix J.**
- Acid Sulfate Soil Management Plan prepared by JBS&G, refer to **Appendix K.**

The supporting documentation demonstrates the suitability of the site for the proposed land uses and revised height of building control and provides the basis for more detailed design investigations as part of any future development application (DA) proposal.



## 2. SITE CONTEXT

### 2.1. SITE DESCRIPTION

The Planning Proposal relates to the land at 13 Endeavour Road, Caringbah and legally described as Lot 2 in Deposited Plan 714965 (refer **Figure 2**). The site measures some 12.3 hectares in area.

The site features a frontage to Captain Cook Drive in the south, Endeavour Road and more broadly the Taren Point/ Caringbah industrial precinct to the west, Solander Playing Fields to the east and Woollooware Bay (including shared pathway and mangrove forest further beyond) to the north.

Existing improvements on the site reflect Toyota (the former landowners) presence on the site over the last 30 years. Existing buildings are characterised by The Main Warehouse which comprises a significant portion of the site, Storage Sheds along Endeavour Road frontage, Links House (office building) in the north western corner, Toyota House (office building) in the north eastern corner, Toyota Institute (office and warehouse building) in the south eastern corner and the Thiess and The Hub buildings adjoining the Main Warehouse. The existing building's account for some 41,937sqm of Net Lettable Area.

The remainder of the site comprises hardstand at-grade carparking and loading facilities providing some 560 car parking spaces integrated with tree plantings. Expanses of landscaping are consolidated in the south eastern corner and northern buffer area to the mangrove biome within Woollooware Bay. The entire site is fenced with public access restricted and vehicular access controlled by boom gates and a security gatehouse at the vehicular entry points at Captain Cook Drive/ Gannons Road and Endeavour Road.

A transmission easement traverses the northern portion of the site, with the support structure located in the north-eastern corner. This easement consumes some 9,000sqm of the site, which generally restricts some development from occurring in this location.

Figure 2 The Site





To the immediate north of the site on the northern side of the Shared Pathway exists Estuarine Mangrove Forest and patches of Estuarine Saltmarsh (refer **Figure 3**). The mangroves are mapped by OEH (2020) as 'high biodiversity value' and they are proposed to be retained and protected as part of the site's redevelopment. There is no vegetation within the site mapped by OEH as 'high biodiversity value'.

Figure 3 Vegetation Mapping of the Subject Site and Surrounding Land



Source: Ecological Australia

The special characteristics pertaining to the site are summarised as follows:

- **Topography** – the site is an irregular quadrilateral shape with no parallel boundaries or consistent dimensions. The site is relatively flat and low lying with minimal topographical changes of between 0 and 1.5m between Captain Cook Drive and the foreshore Shared Pathway and between 0.5m – 1m running from east to west.
- **Access and Movement** – the site is bound by Captain Cook Drive to the south (a classified state main road), Endeavour Road to the west (a local road), Woollooware Bay Shared Pathway to the north and Solander Playing Fields to the east. Vehicular access to the site is currently via three access points. The primary vehicular access to the site is provided via a roundabout at the intersection of Captain Cook Drive and Gannons Road. Secondary vehicular access is provided along the western boundary of the site via two entry points at Endeavour Road. A number of private roads exist within the site.

The site has limited access to public transport. Transdev operate two bus stops in proximity to the site with one located approximately 200m from the south of the site and the second approximately 330m to the south-west of the site along Taronga Parade. Services are provided generally every 60 min or in some cases, 30 min in the peak and provide access to surrounding suburbs. The nearest train station is Caringbah Train Station in the south west (2.2km) and Woollooware Train Station in the south east (2.3km). Both stations service the T4 Eastern Suburbs and Illawarra Line, providing access between Cronulla and Bondi Junction via the CBD every 10-15 min in the peak, and 30min outside peak periods.

Along the southern side of Captain Cook Drive (east of Gannons Road) is an off-road bicycle and pedestrian facilities within the verge which continues along the eastern side of Gannons Road. An on

road cycle lane exists along the northern side of Captain Cook Drive, commencing east of the existing Captain Cook Drive/ Gannons Road intersection.

Currently, there are limited pedestrian access facilities into the site.

- **Existing Vegetation** – the site has an existing tree canopy coverage of 11% with the majority of mature trees positioned near the boundary of the site and within the eastern surface car park(s). The predominant vegetation is 'urban exotic' comprising a combination of planted exotic species typically found in landscaped gardens scattered throughout the site. Swamp Oak, Prickly Tea Tree and Swamp Paperbark Swamp Forest also occurs across the majority of the site, mainly located within the numerous landscape areas. Swamp Oak Swamp Forest and the Tuckeroo, Lilly Pilly and Cheese Tree cluster are less common throughout the site. Vegetation to the north of the site, on the opposite side of the 5m boardwalk, comprises Estuarine Mangrove Forest with small patches of Estuarine Saltmarsh fringing Woollooware Bay.
- **Foreshore zone and flooding** – the north-east boundary of the site borders Woollooware Bay and contains a coastal wetland buffer zone. This area of the site is low-lying and consists of landscaping. Flooding analysis of the existing site indicate that a mix of floodwaters and water from Woollooware Bay inundate the north-eastern boundary of the site in large storm events. A drainage channel immediately abuts the north western corner of the site which connects to the Bay from an open channel, culvert and tidal channel and provides ecological and hydrological value to the site.
- **Soils, contamination, and ground water** – environmental investigations identify the site as being extensively filled with approximately 2m of gravelly sand/ clay/ sandstone. The site is impacted by an historically abandoned underground petroleum storage system and localised area of asbestos impact adjoining the centre of the site's eastern boundary. Groundwater is typically encountered between 1m and 3m below the ground surface.

Photographs of the subject site are provided in **Figure 4**.

Figure 4 Photographs of the site



Picture 1 Existing Office Building

Source: Urbis



Picture 2 View of mangroves and Woollooware Bay beyond from within the site

Source: Urbis





Picture 3 Existing Warehouse Building

Source: Urbis



Picture 4 Existing Landscaping below electricity easement and adjacent to shared cycleway

Source: Urbis



Picture 5 Existing Internal Road Network and Landscaping

Source: Urbis



Picture 6 Endeavour Road Controlled Vehicle Access Point

Source: Urbis

### 2.1.1. Urban Context

### 2.1.2. Regional Context

The site is located within the southern periphery of Greater Sydney within the Sutherland Shire Local Government Area. The site is located within close proximity to several Strategic and Local Centres trade gateways and major renewal projects, including:

- **Cronulla Sharks Leagues Club Residential/ Retail Development**

The site is located approximately 200m east of the site (measured between the site's two closest points) and spans approximately 59,340sqm in site area.

A Concept Plan granting consent to a mixed-use development was approved in August 2012 and was approved to be delivered in the following stages:

- Stage 1 Precinct – New neighbourhood retail, medical, leisure centre, hotel and residential masterplanned estate and redevelopment of the Cronulla Sutherland Leagues Club facilities on the eastern car park site.

- Stage 2 Precinct – Residential master-planned estate comprising eight residential buildings on the western car park and field area.
- Stage 3 Precinct – Extension and improvement of the Sharks playing field facilities including grandstand extensions and provision of a Centre of Excellence.

It is understood that construction of Stage 2 has concluded, with the remaining stages currently under construction.

The Stage 1 Precinct to be known 'Bay Central' is expected to be completed in January 2023 and will comprise an estimated 18,132sqm of gross lettable area. It will be anchored by a Woolworths and Aldi Supermarkets as well as a Dan Murphy's, and other speciality retail and commercial tenancies. The Stage 1 Precinct is located the farthest away from the site measuring some 550m when measured from the two closest points.

#### ▪ **Cronulla Local Centre**

Cronulla is located some 3km east of the subject site and is characterised by coastline and beaches. Cronulla contains a railway station which provides regularly services to Bondi Junction via Sutherland, Hurstville and the Sydney CBD.

Cronulla contains a strip mall comprising some 30,000sqm of retail floor space, including two IGA supermarkets and a Woolworths Metro.

#### ▪ **Caringbah Local Centre**

Caringbah is located approximately 2km south -west of the site. Caringbah Station is located in the middle of the centre and represents the closest railway station from the site. The Station is surrounded by strip retail on either side of The Kingsway, and also includes a Coles and Woolworths Supermarket.

Caringbah also contains a medical and health centre precinct, which is clustered around Sutherland and Kareena Private Hospital's.

#### ▪ **Miranda Strategic Centre**

The Miranda Strategic Centre is located approximately 4km west of the site and is the closest Strategic Centre to the site. Miranda is most known for Westfield Miranda, an approx. 120,000sqm shopping centre which is anchored by two department stores, two discount department stores and three supermarkets.

A railway station is also located at Miranda, along with approximately 4,850sqm of strip retail floor space in addition to a further two supermarkets.

The South District Plan identifies a baseline jobs target of 8,000 and a higher target of 11,500 for the Centre by 2036, which is an increase from the 7,000 jobs it was estimated to have provided in 2016.

The Future Transport Strategy 2056 identifies a long-term transport initiative to construct a mass transit linking the eastern suburbs with Miranda via Kogarah. Transport for New South Wales (TfNSW) recently released the South East Sydney Transport Strategy which outlines plans for the Randwick to Kogarah portion of the Metro line to be built by 2056.

#### ▪ **Sutherland- Kirrawee Strategic Centre**

The Sutherland- Kirrawee Strategic Centre is one of the LGA's largest town centres and is located some 7-8km west of the site.

Sutherland plays an important civic and administrative role, as it contains the District Court, police station and Sutherland Council offices. It also comprises entertainment, education and community services as well as a high street adjacent to Sutherland Railway Station. Sutherland also includes a major transport interchange, comprising a Railway Line that services both the Eastern Suburbs & Illawarra Line as well as the NSW TrainLink South Coast Line services and buses.

According to the South District Plan, in 2016 Sutherland provided some 5,700 jobs. This is estimated to increase to between 8,000 (baseline estimate) and 9,000 (higher estimate) by 2036.

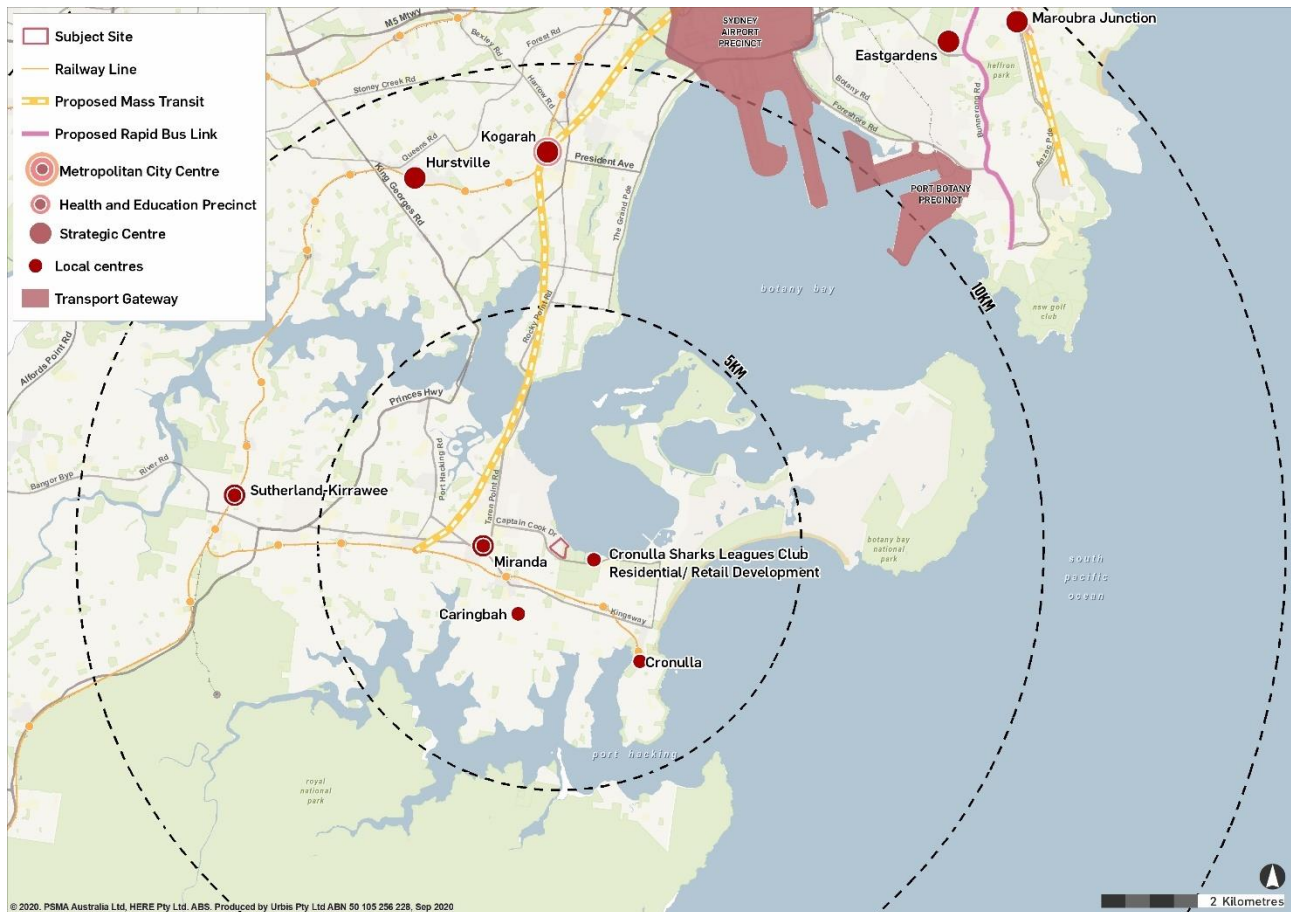
Kirrawee is a newly expanded centre. Historically it comprised strip retail adjoining Kirrawee Railway Station but expanded in 2018 when South Village opened. South Village is a 14,000sqm supermarket-based centre and is anchored by a Coles and Aldi.

## ▪ Sydney Airport and Port Botany Trade Gateways

The site is located within 16km of the Port Botany employment precinct and some 15km from Sydney Airport. Port Botany contains one of Australia's major land and sea freight gateways and is Australia's second largest container port as well as a bulk liquids berth. Sydney Airport a major freight, business and tourism gateway for the Harbour CBD and the nation. It contains Sydney's existing domestic and international air terminals. It generates an estimated 18,100 jobs and according to the draft LSPS is a major employer of Sutherland Shire residents.

The proximity of the site to these centres and trade gateways is illustrated in **Figure 5**.

Figure 5 Regional Context



Source: Urbis

## 2.1.3. Open Space and Social Infrastructure

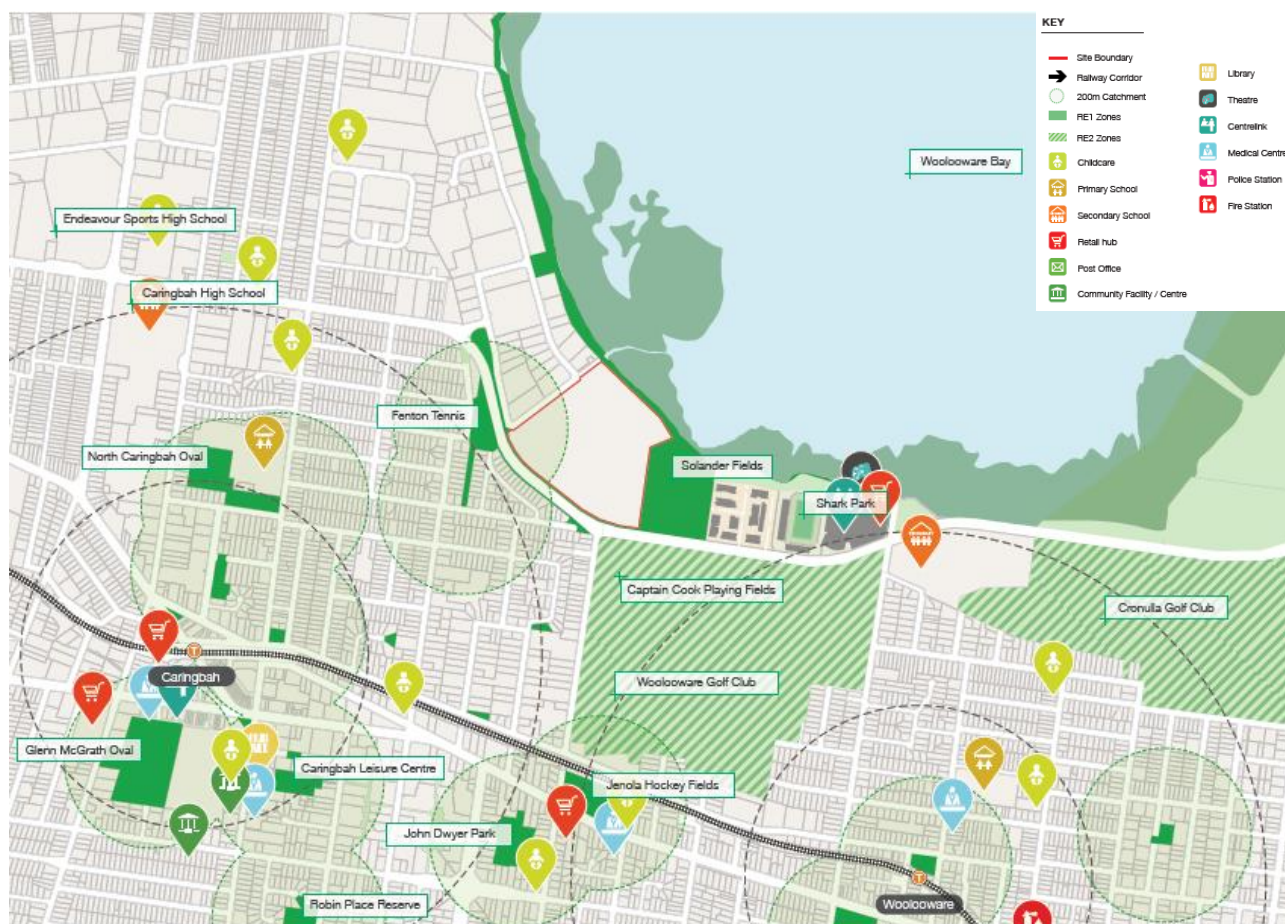
The site is proximate to a variety of open space, community and social infrastructure.

As illustrated in **Figure 6**, community infrastructure is generally clustered to the south of the site, on the opposite side of the train line concentrated near established residential neighbourhoods.

Community infrastructure on the northern side of the train line near the subject site is generally confined to private and public open space including Solander Playing Fields, Captain Cook Playing Fields, Woollooware and Cronulla Golf Clubs as well as coastal open space buffer along the foreshore.



Figure 6 Open Space and Social Infrastructure Map



Source: Urbis

## 2.1.4. Local Context

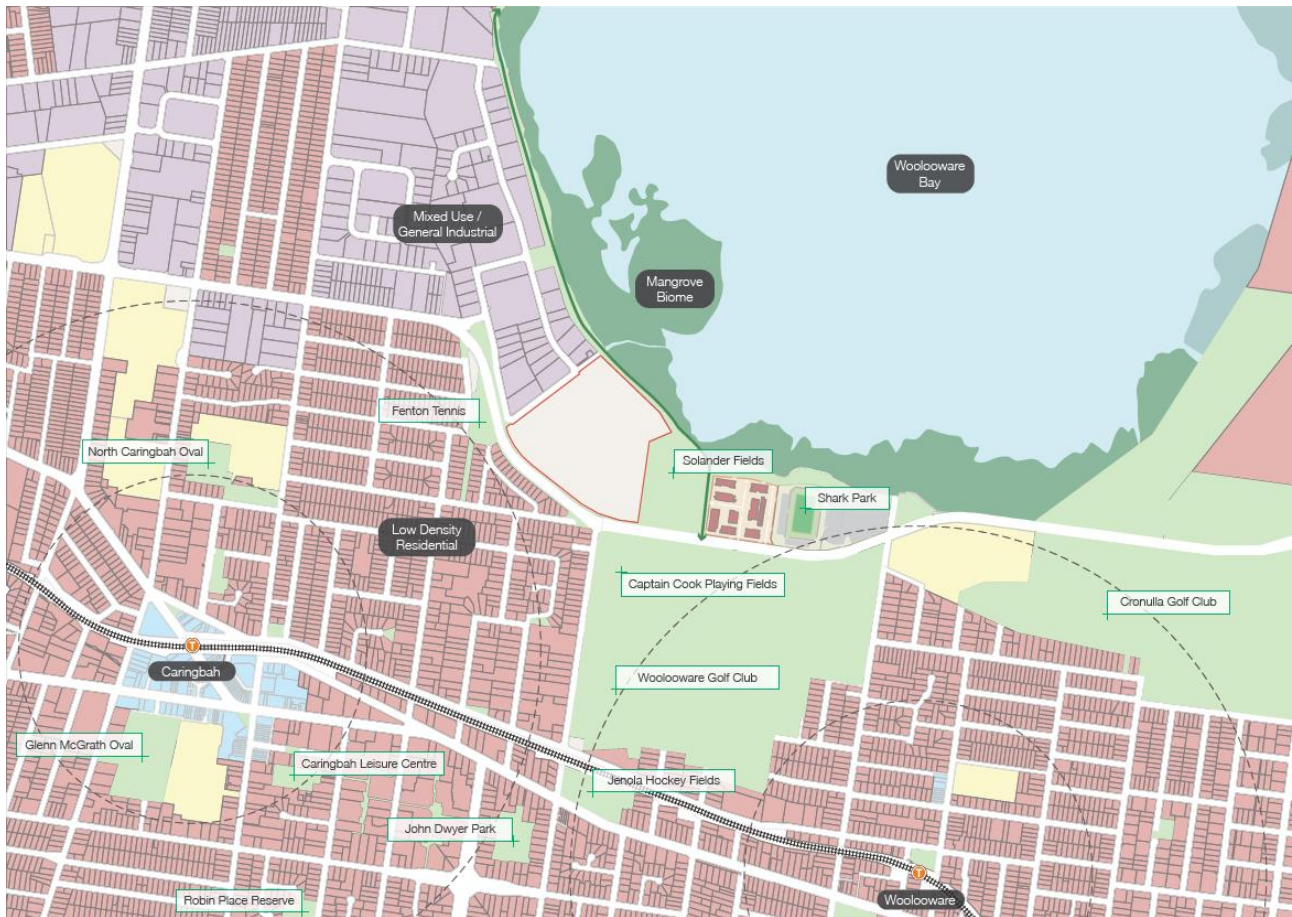
The character of the immediately surrounding area is diverse, consisting of low-density residential, public open space and medium-large industrial landholdings, abutting areas of high ecological significance. The site itself is located on the periphery of the Taren Point/ Caringbah industrial precinct.

The immediately surrounding development includes:

- The site abuts the Woollooware Bay foreshore and native mangrove forest to the north. A shared pathway runs along the foreshore for approximately 800m west of the site and will eventually continue further east in front of the Sharks Leagues Club Mixed Use Development.
- Solander Playing Fields are located to the immediate east of the site. The playing fields are publicly accessible and are used for sporting activities by the local community. Further east is the Sharks Leagues Club residential/ retail masterplanned estate comprising eight residential buildings (up to 14 storeys in height), Toyota Stadium and a construction site that will soon accommodate Bay Central Shopping Centre, a new Leagues Club, additional residential accommodation as well as a hotel.
- The site is bound by Captain Cook Drive to the south. Further south on the opposite side of Captain Cook Drive is a low-density residential neighbourhood comprising 1-2 storey dwellings. To the south east of the site is another large open space holding comprising the Captain Cook Playing Fields and the Woollooware Golf Course and Club.
- The secondary vehicular entry to the site along Endeavour Road bounds the site to the west. Adjacent to this is the Caringbah/ Taren Point industrial area which is generally characterised by low-rise / large floorplate warehouses and industrial buildings.

The proximity of the site to the surrounding land uses is illustrated in **Figure 7**, with images provided in **Figure 8**.

Figure 7 Local Context Map



Source: SJB

Figure 8 Surrounding development context



Picture 7 View of Woollooware Bay Stage 1 & 2 Residential Buildings and Solander Playing Fields

Source: Urbis



Picture 8 View of Woollooware Bay Stage 1 & 2 Residential Buildings and Stingray Football Clubhouse in foreground

Source: SJB





Picture 9 Low density residential neighbourhood to the south of the site

Source: SJB



Picture 10 Existing tree planting on southern side of Captain Cook Drive

Source: SJB



Picture 11 Existing Buildings along Endeavour Road in the Caringbah/ Taren Industrial Precinct

Source: SJB



Picture 12 Woollooware Bay Shared Cycleway

Source: SJB

## 3. STATUTORY CONTEXT

### 3.1. SUTHERLAND SHIRE LOCAL ENVIRONMENTAL PLAN 2015

*Sutherland Shire Local Environment Plan 2015 (the LEP)* is the primary environmental planning instrument applying to the site and the proposed development.

#### 3.1.1. Land Use Zoning

The site is zoned B7 Business Park in accordance with the LEP as shown in **Figure 9** below. The relevant zone objectives include:

- To provide a range of office and light industrial uses.
- To encourage employment opportunities.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To prevent the fragmentation of large sites and to realise their economic strategic advantage.
- To provide opportunities for the erection of buildings requiring large floor areas and to discourage small-scale uses unless they are of an ancillary or service nature.
- To enhance the visual appearance of the employment area by ensuring new development achieves high architectural and landscape standards.
- To minimise the impact of development within the zone on areas of environmental or heritage significance.

Figure 9 SSLEP 2015 Extract Zoning Map



Source: Urbis



The following development is permitted with development consent in the B7 Business Park zone:

*Centre-based child care facilities; Garden centres; Hardware and building supplies; Light industries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Respite day care centres; Roads; Self-storage units; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified below.*

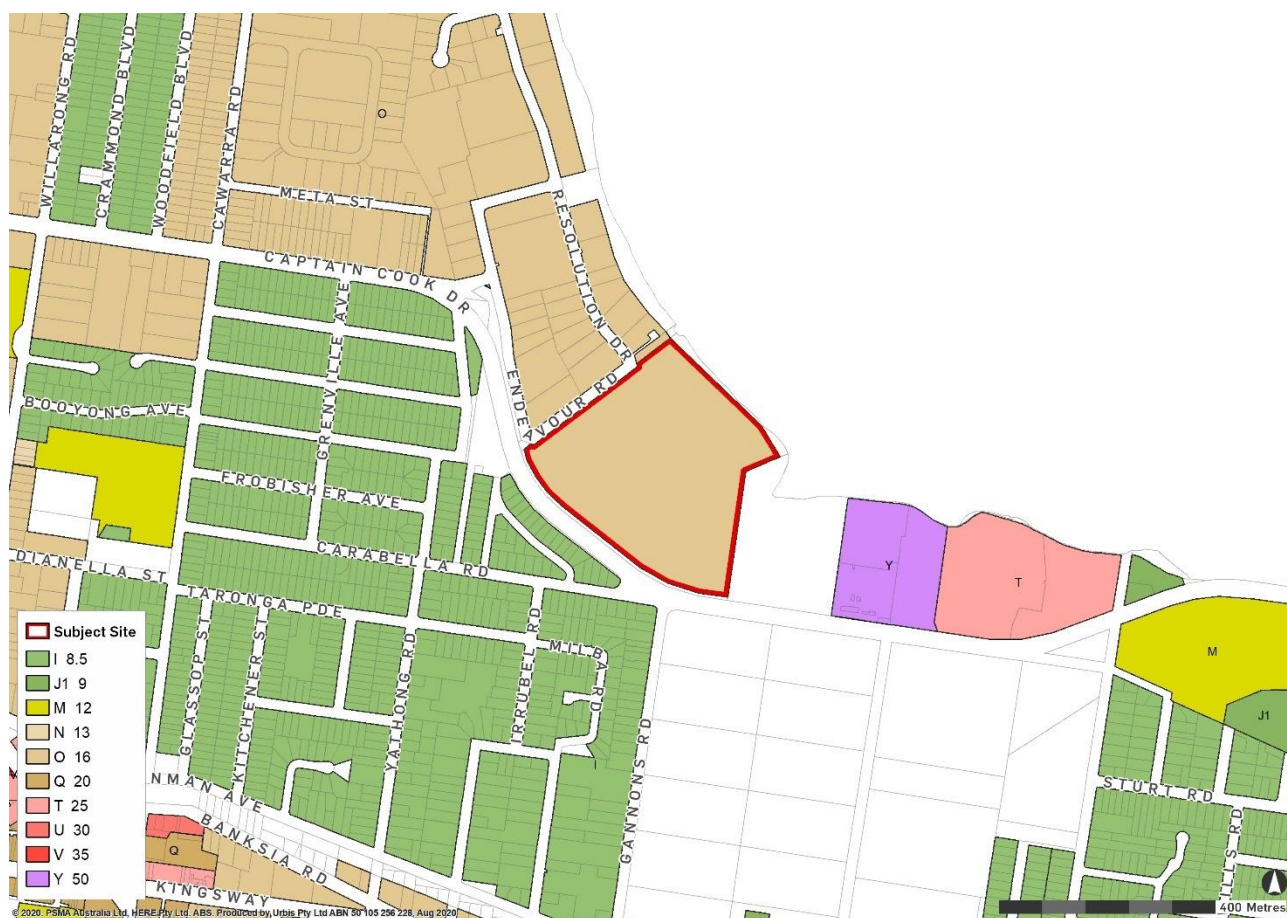
The following development prohibited in the B7 Business Park zone:

*Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; General industries; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Markets; Open cut mining; Plant nurseries; Pond-based aquaculture; Pubs; Recreation facilities (major); Registered clubs; Residential accommodation; Resource recovery facilities; Restricted premises; Roadside stalls; Rural industries; Rural supplies; Sewage treatment plants; Sex services premises; Shops; Specialised retail premises; Storage premises; Timber yards; Tourist and visitor accommodation; Truck depots; Waste disposal facilities; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies*

### 3.1.2. Building Height

The site has a maximum building height of 16 metres in accordance with clause 4.3 and as shown in **Figure 10** below. Surrounding building heights range between 8.5 to 50 metres.

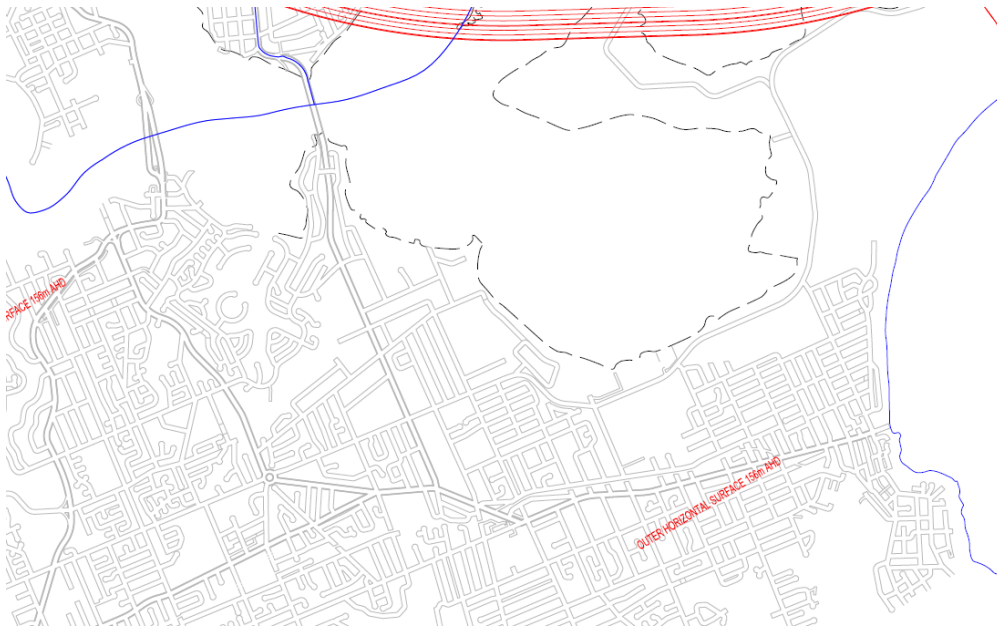
Figure 10 SSLEP 2015 Extract Height Map



Source: Urbis

A review of the relevant airspace limitations affecting the site show's that the site is not affected by any Inner Horizontal Surface Heights, and the Outer Horizontal Surface affecting the site is 156m AHD. This is illustrated in the following **Figure 11**.

Figure 11 Sydney Airport Prescribed Airspace Obstacle Limitation Surfaces Map

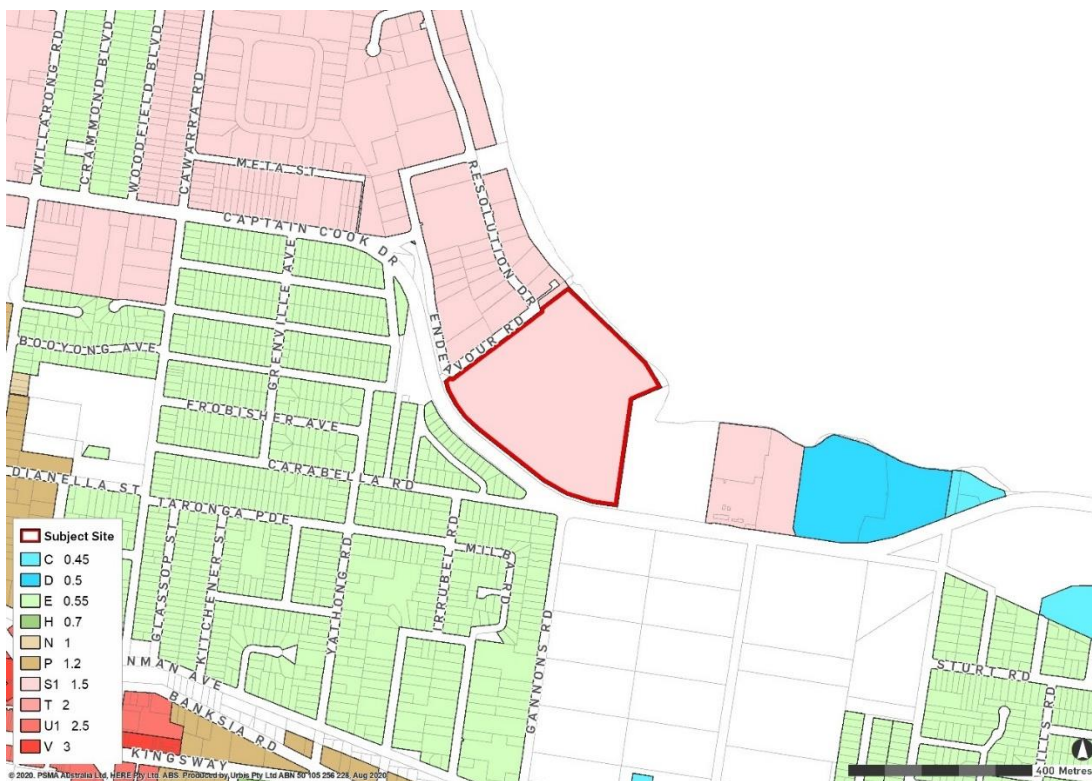


Source: Sydney Airport

### 3.1.3. Floor Space Ratio

The site has a maximum floor space ratio (FSR) of 1.5:1 in accordance with clause 4.4 and as shown in **Figure 12**.

Figure 12 SSLEP 2015 Extract FSR Map



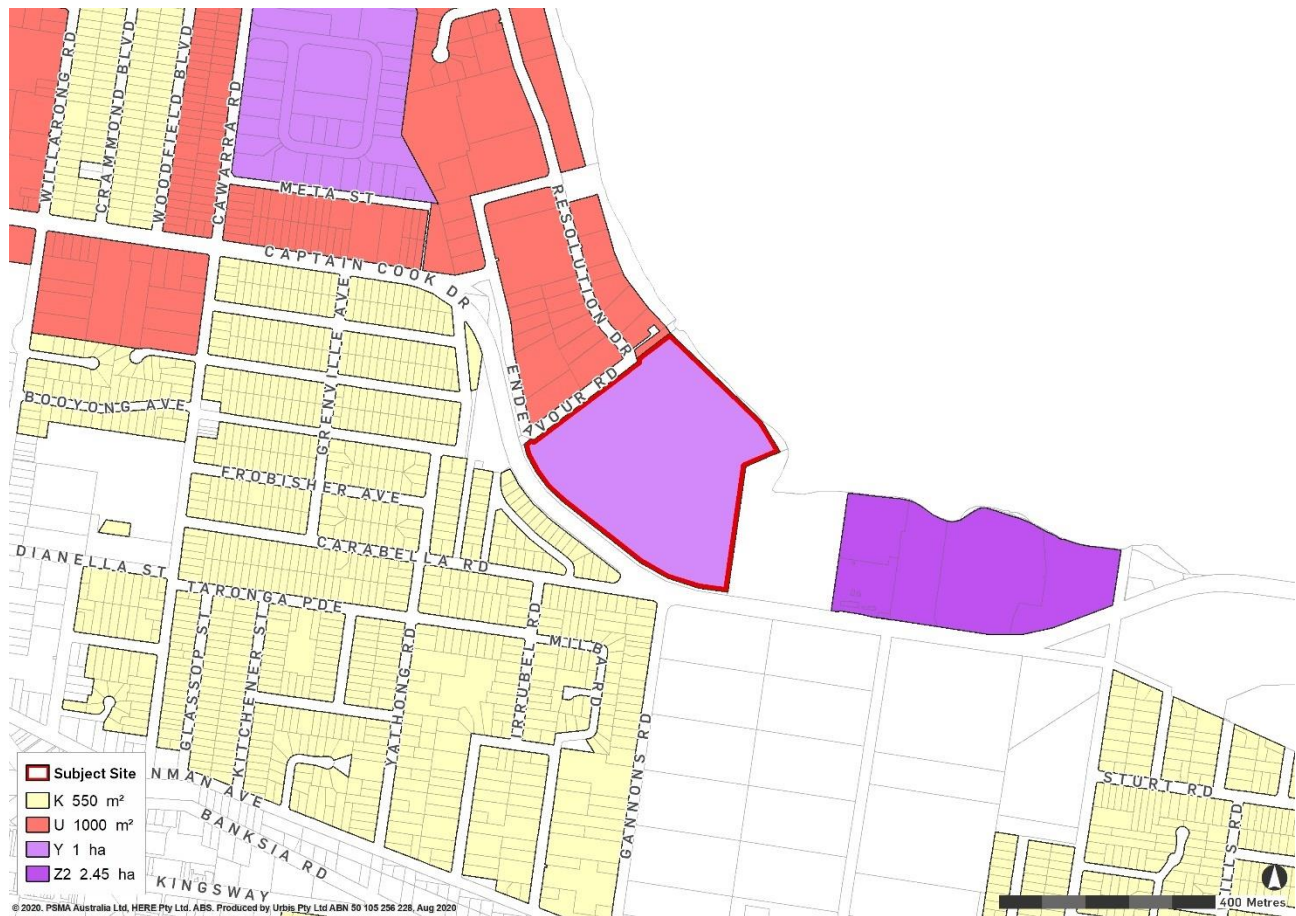
Source: Urbis



### 3.1.4. Minimum Lot Size

A minimum lot size of 1 hectare applies to the site, resulting from any proposed subdivision and as shown in Figure 13.

Figure 13 SSLEP 2015 Extract Minimum Lot Size Map



Source: Urbis

### 3.1.5. Terrestrial Biodiversity

The entire site is identified as environmentally sensitive land and as shown in **Figure 14** below.

Figure 14 SSLEP 2015 Extract Terrestrial Biodiversity Map



Source: Urbis

### 3.1.6. Foreshore Building Line

The site has a foreshore building line at the interface with Woollooware Bay to protect areas of environmental and public access significance as shown in **Figure 15** below.

Figure 15 SSLEP 2015 Foreshore Building Line Map



Source: Urbis

### 3.1.7. Riparian Lands and Watercourses

The site is identified as environmentally sensitive land and as shown in **Figure 16** below.

Figure 16 SSLEP Extract Riparian Lands and Watercourses Map



Source: Urbis

### 3.1.8. Landscape Area

The site has a minimum landscape area requirement of 10% and as shown in **Figure 17** below.

Figure 17 SSLEP 2015 Extract Land Area Map



Source: Urbis

### 3.1.9. Flood Planning

The site is not identified as flood prone land in the LEP, however is identified as flood affected in the Woollooware Bay Catchment Flood Study 2014.

### 3.1.10. Acid Sulfate Soils

The site is classed as Class 3 Acid Sulfate Soils per the Acid Sulfate Soils Map. Clause 6.1 requires development consent and an acid sulfate soils management plan to be prepared where the proposed works result in excavation or by which the watertable is likely to be lowered by more than 1 metre below the natural ground surface.

### 3.1.11. Foreshore

The entire site is mapped as Foreshore on the Foreshores of Port Hacking, Georges River, Woronora River and Botany Bay Map. Future development is required to consider the objectives and controls set out in clause 6.10.

### 3.1.12. Natural Landforms

The site is not identified as environmentally sensitive land per the Natural Landforms Map in the LEP.

### 3.1.13. Groundwater Vulnerability

The site is not identified as environmentally sensitive land per the Groundwater Vulnerability Map in the LEP.

### 3.1.14. Heritage Conservation

The site is not identified as a local heritage item, nor is it located within a heritage conservation area. The site is not proximate or adjacent to any listed heritage items or heritage conservation areas.

## 3.2. SUTHERLAND SHIRE DEVELOPMENT CONTROL PLAN 2015

Sutherland Shire Development Control Plan 2015 (**the DCP**) provides the detailed development controls which apply to land across the Sutherland Shire local government area. The key controls which are relevant to the site and the requested Planning Proposal are summarised below:

- Chapter 27 – B7 Business Park
- Chapter 35 – Other Uses
- Chapter 36 – Vehicular Access, Traffic, Parking and Bicycles
- Chapter 38 – Stormwater and Groundwater Management
- Chapter 39 – Natural Resource Management
- Chapter 40 – Environmental risk
- Chapter 41 – Social Impact

There are currently no site-specific controls pertaining to development on the site.

The controls contained in the DCP have been considered in developing the masterplan scheme along with the site specific DCP that has been developed specifically for the site to guide future development applications (refer **Appendix J**).



## 4. STRATEGIC POLICY CONTEXT

This section of the report identifies the relevant State and local strategic planning policies which are relevant to the site and the proposed LEP amendments. It outlines the key objectives, planning priorities and actions required to deliver the vision for the Greater Sydney Region, the South District and the Sutherland Shire local government area.

A detailed assessment of the consistency of the proposal with the State and local strategic planning policies is provided within **Section 8**.

### 4.1. PREMIER'S AND STATE PRIORITIES

The NSW Premier's and State Priorities establish key priorities of the NSW Government which represent their commitment to making a significant difference to enhance the quality of life of the people of NSW.

The Priorities are of limited relevance for the subject Planning Proposal apart from the 'Greening our City' initiative which seeks to increase the tree canopy and green cover across Greater Sydney by planting one million trees by 2022. The priority discusses that trees play an important role in improving local character and extend habitat, increasing the biodiversity of cities serving as a home for animals and birds. The proposed masterplan is highly consistent with this initiative.

### 4.2. GREATER SYDNEY REGION PLAN: A METROPOLIS OF THREE CITIES

In March 2018, the Greater Sydney Commission finalised '*A Metropolis of Three Cities - Greater Sydney Region Plan*', as the NSW Government's metropolitan plan for Sydney. The Plan presents a strategy for managing growth and change and intends to guide infrastructure delivery over the next 40 years. The plan seeks to reposition Sydney as a metropolis of three cities – the western parkland, central river and eastern harbour cities.

The Plan is built on a vision where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. To support the vision, the Greater Sydney Commission have established ten (10) directions which establish the aspirations for Greater Sydney over the next 40 years. These directions will be used to guide future planning policy and infrastructure decisions within Greater Sydney to 2056. The identified directions include:

- |                                       |                                 |
|---------------------------------------|---------------------------------|
| 1. A city supported by infrastructure | 6. A well-connected city        |
| 2. A collaborative city               | 7. Jobs and skills for the city |
| 3. A city for people                  | 8. A city in its landscape      |
| 4. Housing the city                   | 9. An efficient city            |
| 5. A city of great places             | 10. A resilient city            |

The site is located within the Eastern Harbour City. The vision of the Eastern Harbour City is centred around the growth of the Eastern Economic Corridor – extending between Macquarie Park and Sydney Airport and is underpinned by new rail projects. This has limited relevance to the site, as it sits outside of these areas.

The plan identifies the need to accommodate an additional 1.7 million people, 725,000 additional dwellings and 817,000 new jobs in Greater Sydney by 2036.

The site is located within proximity to several key strategic centres, trade gateways and collaboration areas, including, Sutherland Strategic Centre (8km), Miranda Strategic Centre (3.4km), Sydney Airport (14.2km), Port Botany (21.9km) and the Australian Nuclear Science and Technology Organisation (ANSTO) research and innovation precinct (18km).

### 4.3. OUR GREATER SYDNEY 2056: SOUTH DISTRICT PLAN

The *South District Plan* is a 20-year plan to manage growth in the context of economic, social and environmental matters to implement the objectives of the Greater Sydney Region Plan. The intent of the District Plan is to inform local strategic planning statements and local environmental plans, guiding the planning and support for growth and change across the district.

The District Plan contains strategic directions, planning priorities and actions that seek to implement the objectives and strategies within the Region Plan at the district-level. The Structure Plan identifies the key centres, economic and employment locations, land release and urban renewal areas and existing and future transport infrastructure to deliver growth aspirations.

Key challenges identified within the Plan relevant to the proposal includes:

- Encourage place based planning and deliver fine grain urban form and local mixed-use places.
- Increase the number of jobs and support the industry transition from manufacturing to professional, high-tech, scientific and creative industries, and ancillary distribution and warehousing.
- Plan business parks from the outset as urban places which can transition into higher amenity and vibrant places that provide services to local communities while maintaining their main role as an employment precinct.
- Retain and manage all existing industrial and urban services land and safeguard it against competing pressures, especially residential and mixed-use zones. The management of these lands should accommodate evolving business practices and changes in need for urban services from the surrounding community and businesses and will need, from time to time, to review the list of appropriate activities within any precinct in considering of these evolving practices.
- Support the provision of standalone office precincts in the District, as a response to residents needing to travel long distances to access a variety of jobs.
- Support the growth of targeted industry sectors including the tourism industry. The South District is not heavily promoted as a tourist destination and supporting tourist infrastructure, particularly hotel and overnight accommodation is limited.
- Deliver the 30-minute city concept by reducing the time people spend travelling and increase people's access to jobs and services.
- Prioritise community access to the coast and waterways while protecting and enhancing environmentally sensitive areas.
- Protecting and enhancing scenic and cultural landscapes. Opportunities to enhance views comes with urban renewal which can also protect and maintain views to the coastline.
- Protect and enhance biodiversity by managing urban development and reduce edge-effect impacts.
- Increase urban tree canopy and deliver green grid opportunities as well as high quality open space.

## **4.4. FUTURE TRANSPORT 2056 STRATEGY**

*Future Transport 2056 Strategy* was released by the Greater Sydney Commission in March 2018 and provides a 40-year strategy for how transport will be planned in NSW.

A number of committed (0-10 years), investigation (0-20 years) and visionary (20 + years) initiatives and investigations are identified as being planned for the South District. The initiatives which will increase the service frequencies to/ from the site to key destinations include:

- F6 Extension Stage 1 (committed) – motorway network from WestConnex to President Avenue, Kogarah.
- Sydney Metro City and South West (committed) - From the north west, metro rail is being extended under Sydney Harbour, through new underground city stations and beyond to the south west.
- F6 Extension Stage 2 (investigation) – motorway network from Kogarah to Loftus.
- Sutherland to Cronulla Active Transport Link (investigation) – a shared two-way pedestrian and bicycle path between Sutherland and Cronulla.
- Extension of South East Mass Transit / Train Link to Miranda (visionary) - new train/mass transit linking the eastern suburbs with Miranda via Kogarah.



The Plan also identifies some short to medium term initiatives including city-serving and centre-serving transport initiatives to provide transport connections between districts and strategic centres and improve journey times. These include:

- Investigation of a higher capacity city-shaping transport corridor between Hurstville, Kogarah and Parramatta with initial focus on higher capacity bus services.
- Investigation into train improvements on the T4 and T8 lines to improve capacity and reliability.
- Improving service frequencies especially for access to strategic centres.
- On-demand bus services on selected local bus routes in the Sutherland Shire.

## 4.5. SUTHERLAND SHIRE LOCAL STRATEGIC PLANNING STATEMENT

Local Strategic Planning Statements (LSPS) are a new layer of strategic planning legislated by the *Environmental Planning and Assessment Act 1979 (EP&A Act)* introduced in March 2018. The introduction of LSPS is one recent initiative to shift to a strategic-led planning framework in NSW. Essentially, the LSPS is a district plan at a local government level.

The LSPS will set out:

- the 20-year vision for land use in the local area;
- the special characteristics which contribute to local identity;
- shared community values to be maintained and enhanced; and
- how growth and change will be managed into the future.

Informed by the Greater Sydney Region Plan, the South District Plan and Council's current suite of strategic documents, the LSPS will act as a unifying document for Council's strategic vision and shape future amendments to the current *Sutherland Shire Local Environmental Plan 2015 (SSLEP)*.

The LSPS is intended to provide more certainty about Councils' future land use intentions. A council must consider its LSPS as part of the LEP making process. An LSPS that has been endorsed by the NSW Department of Planning, Industry and Environment (DPIE), will be part of the strategic merit test for a gateway determination under section 3.34 of the EP&A Act. To ensure that LEP amendments give effect to the direction expressed in an LSPS, Section 3.33 of the EP&A Act requires that justification is provided with a planning proposal to make or amend an LEP.

The *Draft Sutherland Shire Local Strategic Planning Statement* prepared by Sutherland Shire Council was on exhibition from 11 September to 25 October 2019. On 24 April 2020, Council endorsed a draft LSPS, however proposed changes were recommended by the Greater Sydney Commission Assurance Panel (GSC) to allow a Letter of Support to be issued by GSC to enable final endorsement. A Final Draft of the LSPS was presented and endorsed by Council at its meeting on the 24 August 2020 for submission to the GSC. A letter of support was subsequently issued by the GSC on the 10 September 2020.

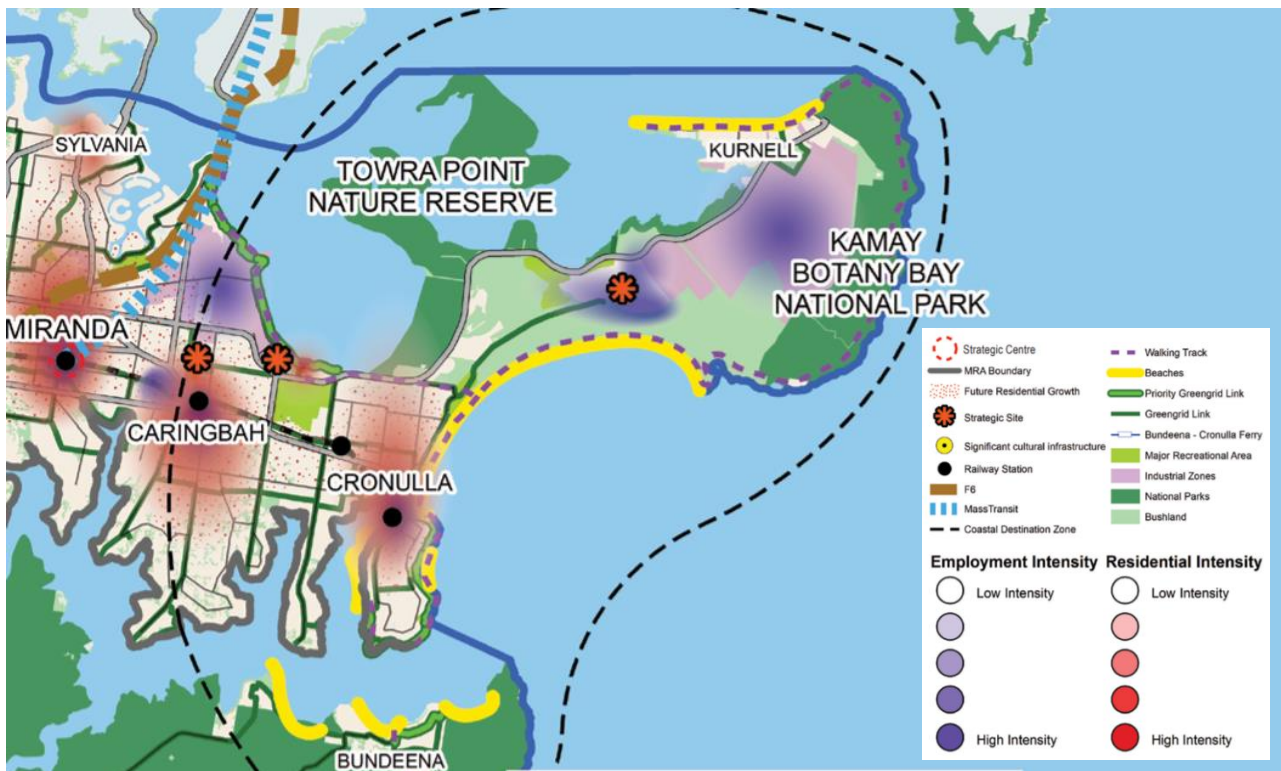
The purpose of the LSPS is to guide land use planning within the area over the next 20 years. The aims of the vision are outlined below:

- Be an exemplar for a sustainable future.
- Provide built environments that respect and enhance the area's natural environment, showcasing the area's unique values.
- Leverage off the industrial lands at Kirrawee, Taren Point and Miranda to provide a diverse range of employment opportunities with high technology industries, manufacturing, and local enterprises.

The LSPS discusses that the 12 hectare site, to be vacated by Toyota, is a strategically important employment site which is represented by the site's classification as such in the LSPS Structure Plan (refer **Figure 18**). The LSPS goes on to discuss opportunities for the site to pursue low-carbon high efficiency initiatives that allow new technologies to be adopted and integrated.

In addition, there are several planning priorities and actions which the proposal is highly consistent with.

Figure 18 Structure Plan for Sutherland Shire



Source: Revised Final Draft LSPS

## 4.6. SUTHERLAND SHIRE EMPLOYMENT STRATEGY 2031

In January 2013, Sutherland Shire established a local employment strategy to inform future planning decisions and support the progression of the then draft Local Environmental Plan (now the SSLEP 2015).

At the time, the Strategy identified the former owner of the site, Toyota as a major local employer that *“has the potential to grow in a way that will either utilise the underlying skill sets of Shire residents or generate wider economic benefits for the area.”* It also identified that the Taren Point/Caringbah area and the Kurnell Peninsula had the best employment growth potential in the Shire, due in part to them having large areas of underutilised land.

The Strategy is underpinned by eight aims that seek to deliver on the objectives of the strategy. Council is in the process of preparing an update to the Employment Lands Strategy to reflect the actions of the LSPS.

## 5. PLANNING PROPOSAL HISTORY

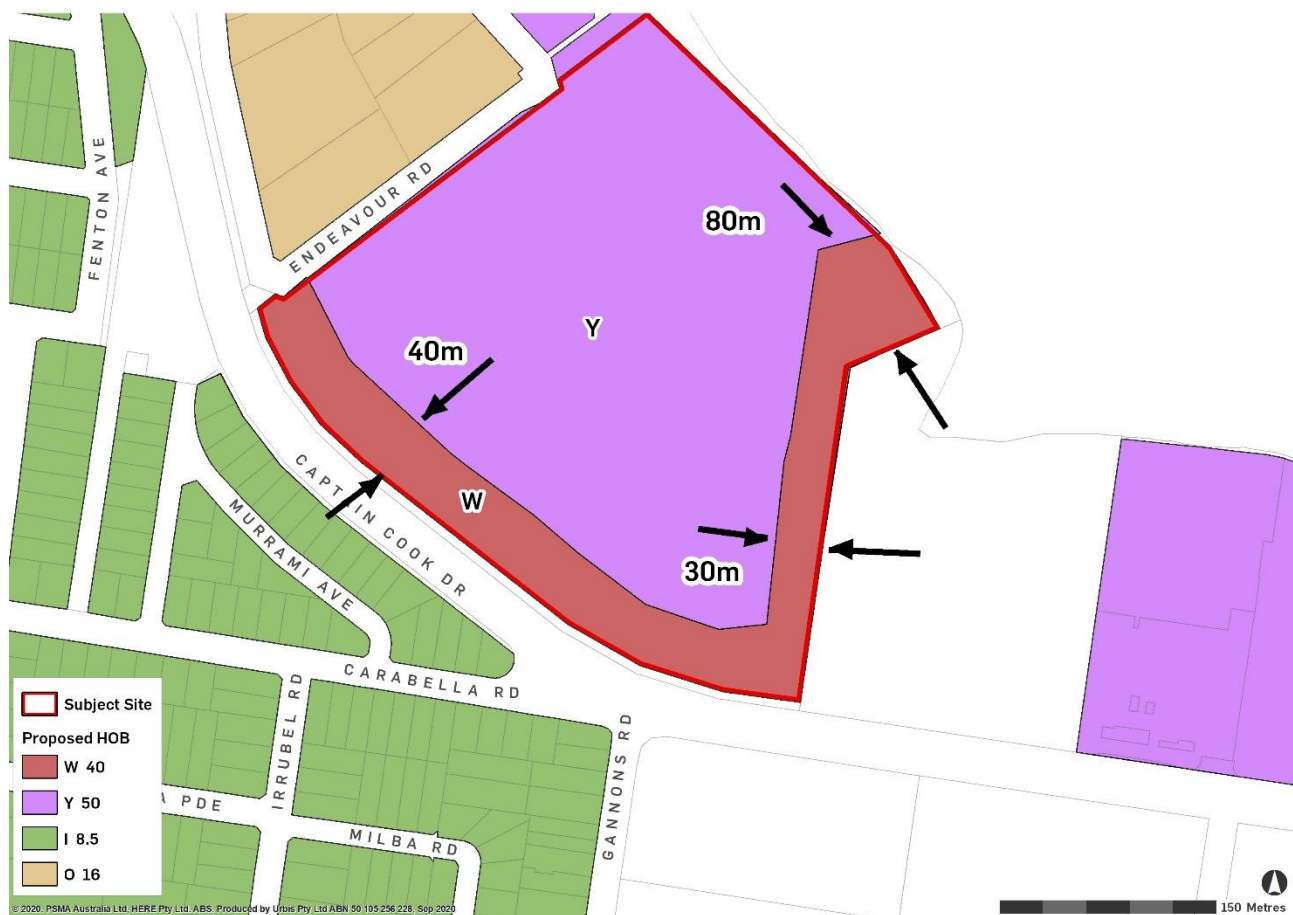
This section provides a summary overview of the planning proposal history.

### 5.1. ORIGINAL PLANNING PROPOSAL (SEPTEMBER 2020)

In September 2020, the Proponent lodged a site-specific Planning Proposal over land at 13 Endeavour Road, Caringbah. The Planning Proposal sought to amend the SSLEP 2015 as follows:

- An addition to Schedule 1 Additional Permitted Uses to facilitate the permissibility of 'tourist and visitor accommodation', 'pub', function centre' and 'shops' (up to 4,310m<sup>2</sup>) on the site.
- A maximum height of buildings control of between 40m and 50m (refer **Figure 19**).

Figure 19 Original Planning Proposal Proposed Height of Building Map



### 5.2. AMENDED PLANNING PROPOSAL (FEBRUARY 2021)

Following consultation with Council officers and in response to a request for additional information, minor amendments were proposed to the Planning Proposal in February 2021 which involved:

- An addition to Schedule 1 Additional Permitted Uses to facilitate the permissibility of 'tourist and visitor accommodation', 'pub', function centre' and 'shops' (up to 2.5% of the allowable FSR) on the site.
- A maximum height of building control of between 30m and 50m (refer **Figure 20**)

The amended Planning Proposal was accompanied by additional technical information including a draft site-specific Development Control Plan.

Figure 20 Revised Planning Proposal Proposed Height of Building Map



Source: SJB

The amended Planning Proposal was reported to and reviewed by the Local Planning Panel (LPP) on the 16 March 2021. The Council Officer report recommended the Planning Proposal had sufficient merit to proceed to Gateway, subject to the following:

- The additional use of 'shop' be conditional on the total floor space of 'shop' not exceeding 4,310m<sup>2</sup> and the gross floor area of any individual shop being limited to a maximum of 500m<sup>2</sup>
- The site specific Development Control Plan be updated to address a range of provisions.

The panel recommended that the planning proposal in its current form lacked strategic merit and should not proceed to Gateway. Two of the Panel members suggested there was potential for site specific merit if the 50m height limit was limited to the centre of the site, dropping down to 25m surrounding the centre. The two Panel members also recommended the proposed APU's be limited to 'hotel' (no tourist and visitor accommodation), function centre and 'pub' with a GFA cap on both.

On the 10 May 2021, the Shire Strategic Planning Committee considered a report from Council officers which recommended the Planning Proposal be referred to DPIE for a Gateway Determination, subject to the following amendments:

- exclude the additional use of shop;
- replace the additional use of tourist and visitor accommodation with hotel or motel accommodation;

- limit the additional uses of hotel or motel accommodation, function centre and pub, to 12,500m<sup>2</sup> in total; and
- amend the draft LEP Height Map to specify a maximum 50m height limit for only a central part of the site, with 25m adjacent to Solander Fields and 30m for the remainder of the site.

It was resolved the Planning Proposal be referred to the next Council Meeting to be held on 24 May 2021.

At the 24 May 2021 Sutherland Shire Council Meeting, the Planning Proposal was endorsed to proceed to Gateway subject to the proposal being amended as follows:

- introduce 'shop' as an APU with a gross floor area (GFA) cap of 2000m<sup>2</sup>;
- require 3000m<sup>2</sup> of area be dedicated as open space for public use in return for the developer gaining an additional 4500m<sup>2</sup> GFA for development purposes.

### 5.3. GATEWAY DETERMINATION (AUGUST 2021)

On the 16th of June 2021, Sutherland Council lodged the planning proposal with the Department of Planning Industry and Environment seeking a Gateway Determination and requesting Plan Making Authority. The planning proposal underwent an adequacy assessment and was considered adequate on 23 June 2021. A Gateway Determination with conditions was subsequently issued on the 18 August 2021.

The Gateway requested that the following conditions be satisfied prior to public exhibition:

Table 1 Response to Gateway Conditions

Gateway Condition	Response
(a) Remove the proposed Additional Permitted Use of 'shop'	The Planning Proposal has been amended to remove shop as an additional permitted use.
(b) Address consistency with Ministerial 9.1 Direction 4.1 Acid Sulfate Soils to address all relevant requirements including providing an Acid Sulfate Soils Study;	Consistency with Ministerial 9.1 Direction 4.1 is addressed in <b>Section 8.2</b> of this report. An Acid Sulfate Soils Management Plan has also been prepared and is submitted at <b>Appendix K</b> .
(c) Address consistency with Ministerial 9.1 Direction 4.3 Flooding to address all relevant matters associated with the revised requirements issued on 14 July 2021;	Consistency with Ministerial 9.1 Direction 4.1 is addressed in <b>Section 8.2</b> of this report.
(d) Clarification of the mechanism proposed to ensure appropriate built form outcomes will be achieved including retention of an appropriate buffer zone to the northern boundary and solar access to Solander Fields;	The mechanism proposed to ensure appropriate built form outcomes are achieved will be delivered through the LEP height of building map which shows a transition in heights across the site and the built form provisions contained in the draft site specific DCP (refer <b>Appendix J</b> ).
(e) Update the accompanying urban design report to provide a clear representation of the intended built form outcome including:	
(i) clarification of the overall distribution of bulk and scale across the site noting the current scheme reflects a FSR of 1.21:1. This must also clarify the relationship of the concept scheme to the proposed height of building map;	<p>The master plan has been refined to reflect the amended height of building controls across the site (refer <b>Appendix B</b>).</p> <p>As discussed in Section 6.3.2 of this report. the indicative structure plan indicates the built form will result in an FSR of 1.19:1 (post dedication of the</p>

Gateway Condition	Response
	3,000sqm of land to Council). A potential future option (known as Stage K) has also been prepared which demonstrates that if the central warehouse is demolished a range of building forms can be established which will result in achievement of the proposed FSR of 1.53:1.
(ii) the intended location of 3,000sqm of public open space;	The intended location of the 3,000sqm of public open space to be dedicated to council is proposed to be located in south eastern corner of the site. The location is nominated in the master plan (refer <b>Appendix B</b> ).
(iii) the intended design and delivery of car parking on site; and	The Urban Design report (refer <b>Appendix B</b> ), details how car parking will be delivered across the various stages of the development. Parking will be evenly distributed across the site and will be located at-grade but primarily integrated within the first and second levels above ground.
(iv) update all concept scheme modelling to show the foreshore buffer area.	The 40m foreshore buffer is illustrated in the concept scheme (refer <b>Appendix B</b> ).
(f) Clarify the intended approach for the delivery of traffic infrastructure works to inform consultation with TfNSW as required under Condition 2.	The intended approach and staging for the delivery of traffic infrastructure is summarised in <b>Section 8.3</b> of this report and discussed in greater detail in the Transport Assessment (refer <b>Appendix D</b> ).



# 6. PROJECT VISION AND INDICATIVE CONCEPT

## 6.1. VISION

The vision for the site is to reactivate a large and underutilised strategically important employment site into a vibrant mixed-use precinct that will deliver a diversity of building typologies, complementary services and amenities and most importantly significant employment opportunities. The precinct will celebrate its unique ecological and coastal qualities and seek to protect and enhance the remnant natural features including the existing foreshore/ mangrove biome and onsite endemic planting.

The vision is illustrated in **Figure 21** and is underpinned by the following priorities:

- Establish distinct character areas that appropriately interface with the surrounding context.
- Create a legible network of roads and spaces that enable efficient movement across the site minimising vehicular/ pedestrian conflicts.
- Revitalize and protect the foreshore by adopting a 40m buffer zone to facilitate ecological improvements and recreational amenity.
- Create a network of spaces within each character area provide additional amenity and encourage pedestrian movement.
- Minimise overshadowing impacts to the surrounding context.
- Maintain the legacy of the former uses through adaptive re-use of the central warehouse building.
- Provide sufficient parking solutions and improve vehicle and pedestrian connections into and through the site.

The site is currently vacant, serviced and ready to be progressively reactivated over several years and stages. Adoption of the above priorities will ensure the site's long-term viability and placemaking qualities.

Figure 21 Masterplan Framework



Source: SJB

## 6.2. BUSINESS PARK COMPARISON STUDY

To inform the indicative concept plan, a review of the land uses forming part of successful business parks in general proximity of the site has been undertaken and is summarised within **Table 2**.

Table 2 Business Park Precedents

Location	Zoning	Uses
The Cannery	B7 Business Park	Food and beverage, retail (wholesale and retail), commercial  <i>'shop' and 'pub' permitted with consent in the B7 zone under the Sydney LEP 2012.</i>
The Grounds of Alexandria	B6 Enterprise Corridor	Food and beverage, retail, events, urban farm  <i>'shop' and 'pub' permitted with consent in the B6 zone under the Sydney LEP 2012.</i>
Sydney Corporate Park	B6 Enterprise Corridor	Events, recreation and sport, retail, education, warehouse  <i>'shop' and 'pub' permitted with consent in the B6 zone under the Sydney LEP 2012.</i>
Entertainment Quarter, Moore Park	SEPP No 47- Moore Park Showground	Entertainment, leisure, retail, bars, cafes, restaurants and takeaway, commercial education and training  <i>'shop' and 'pub' permitted with consent zone under the Moore Park Showground SEPP.</i>
South Eveleigh	Business Park	Office premises, shops, food and beverage, leisure and events.  <i>'shop' and 'pub' permitted with consent in the Business Park zone under the State Significant Precincts SEPP 2005.</i>

## 6.3. CONCEPT MASTERPLAN

The indicative masterplan has been developed by applying the vision and priorities for the project and represents an approach to the redevelopment of the site.

Figure 22 Indicative Masterplan



Source: SJB

### 6.3.1. Land Dedication

The proposed master plan includes the dedication of 3,000sqm of land located in the south eastern corner of the site to Council for the purposes of open space. The land dedication is proposed to be facilitated through a Voluntary Planning Agreement (VPA) between the developer and Council.



### 6.3.2. Land Uses and Distribution

The designation of land uses within the site is outlined in the following **Table 3**. It details the floor space associated with indicative structure plan which shows the central warehouse being retained, and a potential future stage (stage K) which involves demolition of the central warehouse and achievement of the maximum permissible FSR.

Table 3 Estimated developable areas and land uses

Land Use	Land area
<b>Subject Area (pre-land dedication)</b>	123,891sqm
<b>Site Area (post-land dedication)</b>	120,891sqm
<b>Indicative Structure Plan total floor space</b>	144,007sqm
Industrial	5,765sqm
Warehouse	31,316sqm
Office and Business Premises	97,172sqm
Food and Beverage	3,706sqm
Recreation	860sqm
Hotel	5,188sqm
	FSR – 1.16:1 (pre land dedication)
	FSR – 1.19:1 (post land dedication)
<b>Future Potential Stage (Indicative Stage K)</b>	185,168sqm
Industrial	- 55,347sqm
Warehouse	- 0sqm
Office and Business Premises	- 120,087sqm
Food and Beverage	- 3,706sqm
Recreation	- 860sqm
Hotel	- 5,188sqm
	FSR – 1.49:1 (pre land dedication)
	FSR – 1.53:1 (post land dedication)

#### Industrial offering

At the locational heart of the development the existing central industrial warehouse is to be retained and extended with ancillary office space. Over time, the central warehouse building may redevelop into a mix of industrial, office and supporting floor space. Additional warehouse and industrial floor space are also envisaged for the northern-most part of the site fronting the Woollooware Bay Foreshore at the lower levels.

#### Office and business premises

The proposal will incorporate a significant amount of commercial and business premises floorspace across the northern, east and central portions of the site.

## Food & Beverage

The proposal will provide a tavern and other speciality food and beverage uses along the eastern boundary fronting Solander Fields and fronting the new park as well as in the centre of the site integrated with the hotel.

## Hotel

The site has the potential for a boutique hotel to support the visitor economy in the area, supported by ground floor retail opportunities. The location of the hotel will be opposite the entrance, acting as a gateway to the site and defining the future character of the precinct.

### 6.3.3. Staging

The Urban Design Report anticipates the staged development of the significant landholding in a sequential manner to ensure the progressive upgrades to services and utilities as required. The implementation of the staging is intended to occur over several years.

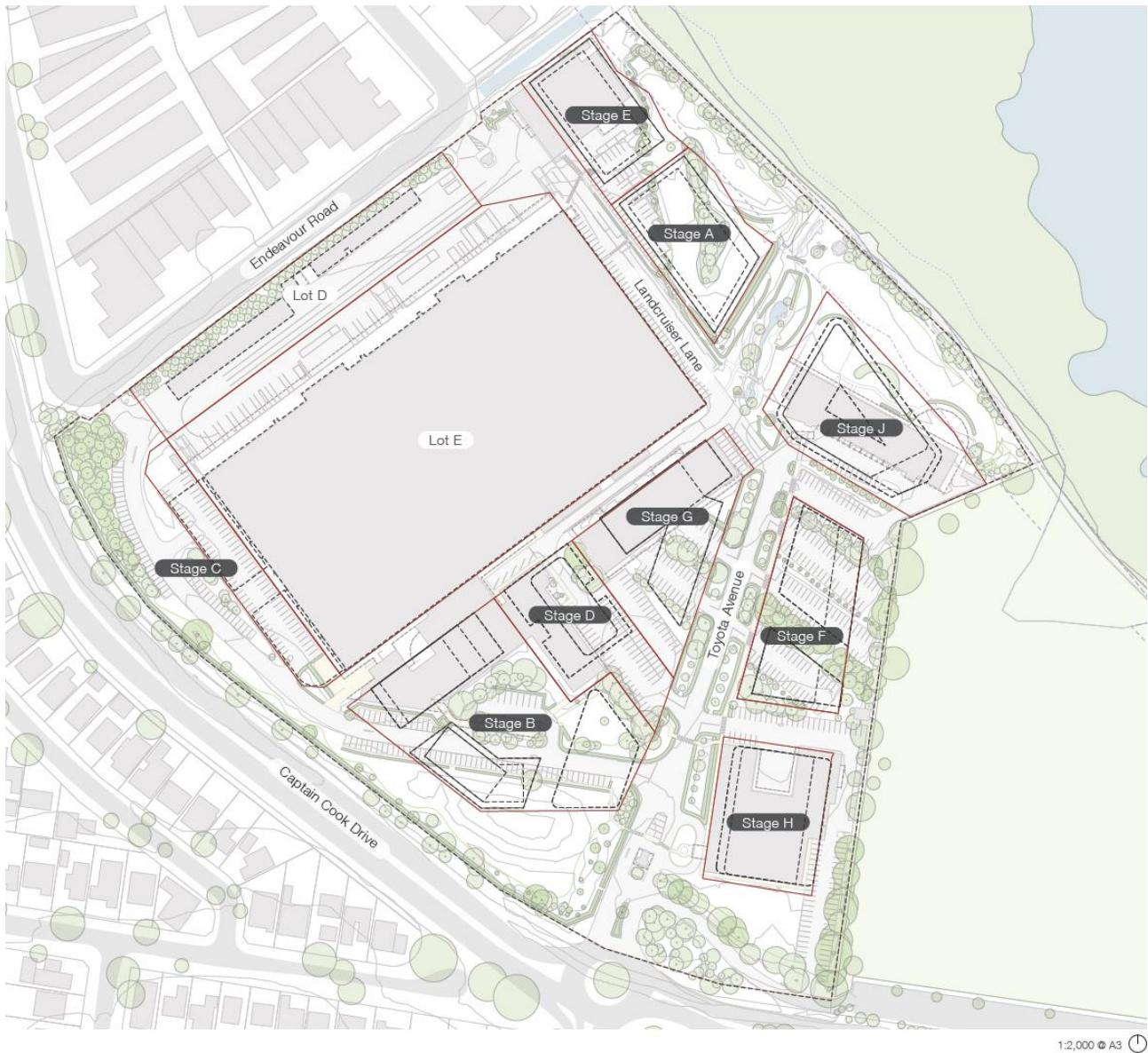
The site is unencumbered by the fine-grain development pattern and fractured ownership pattern associated with smaller development parcels. This site of unprecedented scale within the area, provides short and long term opportunities for continued investment within the Shire and wider region for years to come.

The indicative proposed staging for the site is as follows:

- **Stage A** – Pad B located in the northern part of the site and fronting the Woollooware Bay Foreshore is to be delivered first due to being largely vacant. The indicative massing is intended to comprise warehouse and car parking accompanied by commercial floor space at the upper levels
- **Stage B** – Pad H located in the south-western part of the site fronting Captain Cook Drive will require the demolition of part of the existing Thiess House and the creation of a new internal service road running parallel to the existing main warehouse. The indicative mass is intended to provide three buildings surrounding a central plaza and comprising commercial at ground, car parking at the lower levels and then commercial or hotel for the balance of the upper floors.
- **Stage C** – Pad J located in the western part of the site fronting Captain Cook Drive will be built in place of existing car parking. It is intended to include a building massing comprising car parking at ground level with ancillary industrial / warehouse at the upper levels supporting the main warehouse.
- **Stage D** – Pad G located in the central portion of the site adjoining the main warehouse will require the demolition of the remainder of the Thiess House. It is intended to include a building massing comprising ground floor commercial, car parking at lower levels and commercial at the upper level.
- **Stage E** – Pad A is located at northern corner of the site fronting Woollooware Bay Foreshore will require the demolition of the existing Links House and construction of a new building. It is intended to include a building massing comprising ground floor warehouse and car parking, with upper level commercial.
- **Stage F** – Pad K located in the eastern boundary fronting Solander Fields will be developed in place of some existing car parking and trees. It is intended to include a building massing comprising ground floor recreation and food and beverage, car parking with upper level commercial.
- **Stage G** – Pad F located toward the centre of the site, adjacent to Pad G will require the demolition of The Hub. It is intended to include a building massing comprising ground floor commercial, lower level car parking and upper level commercial.
- **Stage H** – Pad L located in the south-eastern corner fronting both Captain Cook Drive and Solander Fields will require the demolition of the existing Toyota Institute. It is intended to include a building massing comprising ground floor food and beverage, with the remaining levels being both car parking and commercial.
- **Stage J** – Pad C located north-eastern corner of the site fronting both Solander Fields and Woollooware Bay Foreshore will require the replacement of the existing Toyota House. It is intended to include a building massing comprising ground floor commercial, two storeys of car parking above and upper level commercial.
- **Stage K** – A potential future stage which sees the demolition of the main warehouse and development of a series of building envelopes that provide a mix of industrial, office and supporting floor space.

For further information, refer to the Urban Design Report at **Appendix B** or Indicative Staging Plan at **Figure 23**. Stage K is a potentially future stage and illustrated at **Figure 24**.

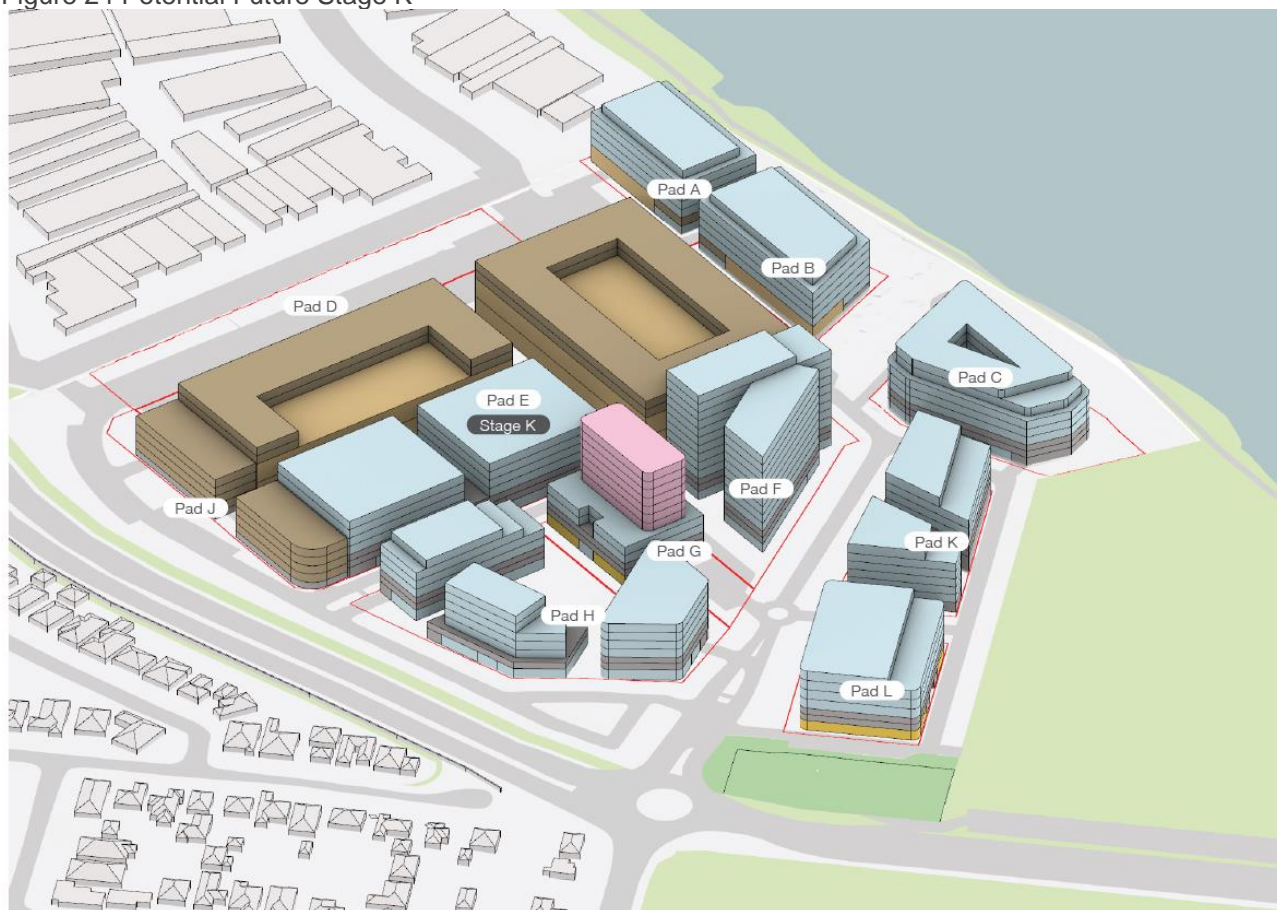
Figure 23 Indicative Proposed Staging Plan



Source: SJB



Figure 24 Potential Future Stage K



①

Source: SJB

### 6.3.4. Built Form and Site Layout

The site structure and configuration has been developed to respond to the site's existing environmental challenges and opportunities. Development along the northern boundary has been designed to sit outside of the 40m foreshore buffer and provide an appropriate address to the adjacent Woollooware Bay Foreshore.

Buildings have been designed to accommodate a variety of uses, set within four interconnected character areas of production, innovation, exchange and experience. The retention of the existing central warehouse will be a key component of the production area acting as a tribute to the site's industrial history. Whereas buildings fronting Woollooware Bay will incorporate flexible built forms that respond to changing industrial market demands, offering warehouse and office uses.

The built form within the experience area fronting Solander Fields and the new park will be designed to encourage recreational, leisure and experiential spaces, providing night-time and weekend activation (refer **Figure 25** below). Similarly, the public plaza will become the focus area for the buildings within the exchange character area, providing a place for people to gather. These buildings, particularly the hotel, would act as the gateway to the site and define its future character.

The height strategy for the site proposes a scaled down transition from the perimeter of the site to the centre of the site, where the density is concentrated. This strategy minimises the overshadowing and visual impacts of lower density residential development south of Captain Cook Drive and public open space areas such as Solander Fields to the east.

Figure 25 Indicative Photomontage



Source: SJB

## 6.4. LANDSCAPING AND PUBLIC DOMAIN

The proposal will maintain and build upon the existing landscaping across the site, retaining or transplanting approximately 612 trees. Whilst approximately 185 trees are proposed for removal, the site will offset these by incorporating a further 438 trees, particularly around the Captain Cook Drive and Woollooware Bay Foreshore frontages to provide adequate landscape buffers to nearby residential and ecologically sensitive areas.

Further, the proposal will also consolidate surface car parking throughout the site into the lower levels of the proposed buildings. This will provide opportunities for increased planting with a total proposed tree canopy cover of 81,900sqm, contributing to the urban tree canopy across the site and minimising urban heat island effects.

In addition to the increased canopy cover, the proposal will also improve the public domain through a focus on uses that encourage ground floor activation such as food and beverage premises. These uses are intended to be aligned with connections to nearby open space areas such as Solander Fields, the Woollooware Bay Foreshore, the new public open space, new public plaza, providing workers with the opportunity to engage with the sites coastal and landscaped setting.

An indicative landscape masterplan is detailed within **Figure 26**.



Figure 26 Landscape Masterplan



Source: Habit 8

## 6.5. TRANSPORT AND ACCESS

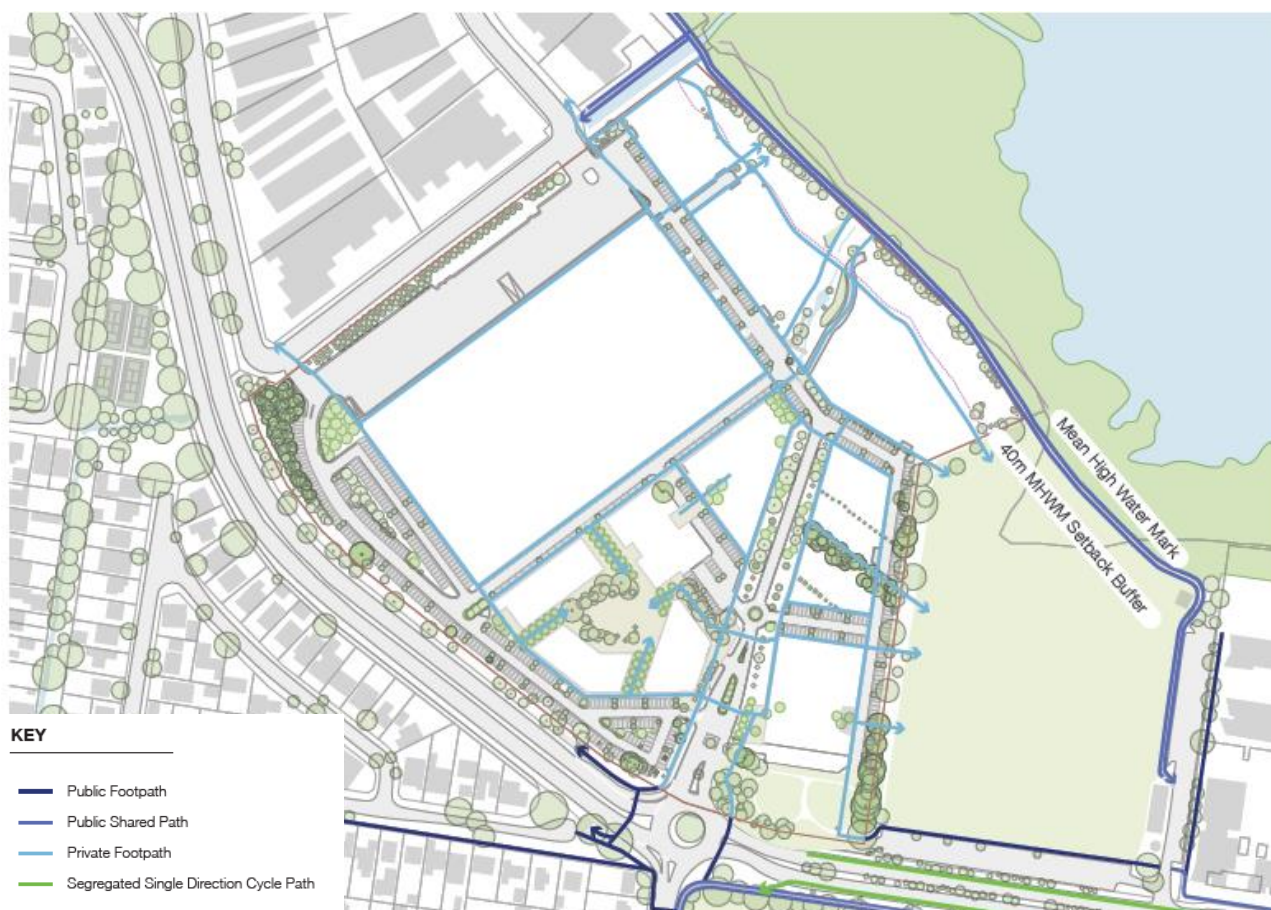
The proposal will maintain the three (3) existing vehicular access points to the site, one (1) from Captain Cook Drive via the roundabout intersection of Captain Cook Drive / Gannons Road and two (2) from Endeavour Road. The access points off Endeavour Road will continue to service heavy goods vehicles, whereas the Captain Cook Drive access will be predominately for private vehicles. Additional driveways may be considered at the development application (DA) stage depending on tenant requirements.

Further, the proposal will look to provide opportunities for improved access to public transport through additional public bus stops along Captain Cook Drive, along with a semi-public shuttle bus providing commuter transport from Caringbah Station to the site.

The proposal will strengthen existing pedestrian connections, improving north-south connections throughout the site to Solander Fields as well as east-west connections to the Woollooware Bay Foreshore and boardwalk (Refer **Figure 27**).



Figure 27 Dedicated Active Travel



Source: SJB

## 6.6. PARKING

Parking will be evenly distributed throughout the site to meet the demands of the tenants as the precinct evolves. It is intended that in the early stages of the development, at-grade parking will be provided. As development progresses across the site, internalised parking will be provided primarily within the first and second levels above ground.

The above ground parking facades will be screened appropriately to ensure the built form maintains a strong aesthetic appearance whilst enabling natural ventilation.

## 6.7. INFRASTRUCTURE DELIVERY

The proposal may require a potential signalised intersection of new Endeavour Road / Captain Cook Drive and Captain Cook Drive / Gannons Road. However, further detailed design and assessment of the required road infrastructure will form part of future detailed development applications and be informed by consultation with road and transport authorities.

## 7. PLANNING PROPOSAL ASSESSMENT

The Planning Proposal request has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and the Department of Planning, Industry and Environment guidelines '*Planning Proposals: A guide to preparing planning proposals*' dated December 2018.

This section addresses each of the matters to be addressed as outlined in the guidelines, including:

- Objectives and intended outcomes
- Explanation of provisions
- Justification including need for proposal
- Relationship to strategic planning framework
- Environmental, social and economic impacts
- State and Commonwealth interests
- Draft LEP maps which articulate the proposed changes
- Community consultation

This Section outlines the vision, objectives and intended outcomes and provides an explanation of provisions in order to achieve those outcomes. The justification and evaluation of impacts is set out in **Section 8** of this report.

### 7.1. OBJECTIVES AND INTENDED OUTCOMES

The intended outcome of the Planning Proposal is to facilitate the development of a world class business park precinct on one of the Sutherland Shires largest, singly owned commercial landholdings. The business park is intended to be a catalyst for high order employment within the LGA, with knowledge jobs of the future, and complimentary hotel or motel accommodation, pub and function centre uses.

The key objectives and intended outcomes are:

- To truly deliver on the intent of the B7 Business Park zone by creating a unique and high-quality destination hub and business park in a coastal / landscape setting.
- Stimulate re-activation of a significant site that is presently vacant and underutilised.
- Support the containment of jobs within the Sutherland Shire and facilitate substantial higher order employment opportunities that is akin to the Shire's resident workforce.
- Cap the amount of currently non-permissible land uses to ensure their role is to serve the anticipated and existing workforce within the Caringbah/ Taren Point industrial precinct and that they are complementary to the site.
- Facilitate land uses that activate the site during the evenings and on weekends.
- Provide hotel or motel accommodation that leverages proximity to the Coastal Destination Area and key tourism assets.
- Enable building heights that facilitate a range of building forms to be established to respond to the role and function of the various employment precincts within the site.
- Ensure building heights match the permissible density so that employment floor space is maximised.
- Establish a transition in building heights towards the boundary to manage the environmental impacts to sensitive interfaces.
- Leverage proximity to the Woollooware Bay shared pathway and create opportunities for publicly accessible links through the site.
- Preserve and improve the site's significant ecological values through buffers around ecological communities and the strategic positioning of compatible land uses.

## 7.2. EXPLANATION OF PROVISIONS

### 7.2.1. Land Use Zoning

This Planning Proposal seeks to retain the existing zoning across the site. The site will remain zoned B7 Business Park.

The objectives of the Sutherland Shire LEP 2015 B7 zone align with the objectives of the Planning Proposal. The objectives encourage a range of office and light industrial uses that facilitate a diversity of employment opportunities and provide other land uses that are complementary to the primary employment role that provides facilities or services to meet the day to day needs of workers in the area.

### 7.2.2. Schedule 1 Additional Permitted Uses

The Planning Proposal seeks to add the site to Schedule 1 Additional Permitted Uses of the Sutherland Shire LEP 2015. This is to facilitate the permissibility of the hotel or motel accommodation, function centre and pub land uses of the proposal. The amount of floor space has been capped at 12,500sqm to ensure their role is complementary to the primary employment role of the site.

The proposed clause is outlined as follows:

#### **31 Use of land at 13 Endeavour Road, Caringbah**

(1) This clause applies to land at 13 Endeavour Road, Caringbah being Lot 2, DP 714965 and identified as “31” on the Additional Permitted Uses Map.

(2) Development for the purposes of hotel or motel accommodation, function centre and pub is permitted with development consent but only if the aggregate total Gross Floor Area of any area of hotel or motel accommodation, function centre and pub does not exceed 12,500m<sup>2</sup>

### 7.2.3. Development Standards

#### **Height of Buildings**

This Planning Proposal seeks to increase the maximum building heights across the site to between 25m and 50m. A 25m height control is proposed along the eastern boundary, a 50m height control in the centre of the site and a 30m height control for the remainder of the site. No height of building control is proposed for the land within the 40m foreshore buffer area.

#### **Floor Space Ratio**

This Planning Proposal also seeks to increase the maximum floor space ration across the site to 1.53:1. This is to account for the dedication of 3,000sqm of land to council for public use in return for an additional 4,500m<sup>2</sup> of GFA for development purposes – being the floor space that would be achieved on the land to be dedicated by applying an FSR of 1.5:1.

## 8. STRATEGIC JUSTIFICATION

### 8.1. NEED FOR THE PLANNING PROPOSAL

#### Q1. Is the Planning Proposal a Result of an Endorsed Local Strategic Planning Statement, Strategic Study or Report?

The Planning Proposal is not the direct result of a Local Strategic Planning Statement or a Strategic Study or Report. However, the proposal builds upon strategic directions of the Local Strategic Planning Statement in particular the need to maintain industrial land and grow local employment in industrial and urban services and support opportunities to grow tourism and encourage more overnight visitors.

This Planning Proposal seeks to increase the permissible maximum building height control to reflect the permissible FSR more appropriately. It also seeks to enable other complimentary land uses that are required to support the site as an attractive and competitive new business park that does not take away from the site's primary role as an employment precinct. The proposal will give effect to the intent of the following documents:

- *The Greater Sydney Region Plan – A Metropolis of Three Cities;*
- *The South District Plan;*
- *Sutherland Shire Local Strategic Planning Statement;* and
- *Sutherland Shire Employment Strategy 2031.*

The alignment of this Planning proposal with the objectives of these documents is discussed in **Section 8.2.**

#### Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes.

The Planning Proposal which seeks to implement site specific height of building controls and add additional permitted uses is consistent with Government policy and approaches to Planning Proposals and is considered the best means of achieving the objectives and intended outcomes.

The current height of building development standard applying to the site is a blanket control that has been applied to the entire Taren Point/ Caringbah industrial area and does not fit the gross floor area associated with applying the 1.5:1 floor space ratio control. Based on the intricacies of the site, the urban design study has identified that the height control needs to be increased in order to maximise the amount of strategically valuable employment floor space. Such an increase in the height control cannot be facilitated through the local development application process through the use of clause 4.6 of the SSLEP 2015.

The strategic planning framework acknowledges that employment land is evolving, and business parks need to be developed as urban places which can transition into higher amenity and vibrant places while maintaining their main role as an employment precinct. In order to attract tenants and provide complementary uses to the primary employment land use offering of the site, it is sought for 'pubs' and 'function centres' to be permissible on the land. This Planning Proposal also seeks to permit 'hotel or motel accommodation' as an additional permitted use, which is highly aligned with the strategic planning framework. Permitting these land uses can only be facilitated through a change to the LEP controls.

The proposal also seeks to increase the floor space ratio control to account for the floor space that would be achieved on the site prior to dedicating 3,000sqm of land to Council as part of this planning proposal for the purposes of public open space. The increase in FSR results in no net increase in permissible GFA across the site compared to if the land was not dedicated.

Without an amendment to the planning controls, the opportunity to redevelop this significant landholding to its full potential, being one of the largest business zoned sites in single ownership in the LGA and District, will be lost.



## 8.2. RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK.

### Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

A *Guide to Preparing Planning Proposals* sets out that in order to answer this question, a planning proposal needs to justify that it meets the Strategic Merit Test. The Strategic Merit Test considers two criteria; the strategic and site-specific merit of the proposal. The consistency of the Planning Proposal with the mandated assessment criteria is set out in the following sections.

#### (a) Does the proposal have strategic merit?

**Yes.** The strategic merit of the Proposal is demonstrated to be consistent with relevant strategic planning documents, as discussed in the following sections.

#### Greater Sydney Region Plan – A Metropolis of Three Cities (2018)

As discussed in **Section 4.2**, the *Greater Sydney Region Plan – A Metropolis for Three Cities (2018)* outlines how Greater Sydney will manage growth and change and guide infrastructure delivery. The proposed amendments to the Sutherland Shire LEP 2015 are consistent with a number of directions to improve liveability, productivity, and sustainability in Greater Sydney, as described below.

##### *Direction 2: A collaborative city*

The direction focuses on managing the needs of a city through the combined work of government, industry and the community. This collaboration between government, industry and local communities is important as it will result in the best use of resources such as the provision of social infrastructure and public open spaces. The Planning Proposal will support the following objective of Direction 2:

- *Objective 5 – Benefits of growth realised by collaboration of governments, community and business*

The Planning Proposal is consistent with the above approach through exploring the benefits of collaboration with Council, industry and the community. The 12.3-hectare site represents one of the largest business zoned land parcels under single ownership in the Sutherland Shire LGA. The proposal provides a unique opportunity for Council to be involved in the development of a world-class business park that will retain local talent and be an attractor of both regional and international talent, ultimately benefitting the community.

##### *Direction 3: A city for people*

Direction 3 focusses on Greater Sydney's social and cultural networks that once implemented will enhance individual and community health outcomes. Strategic planning will seek to capitalise on local identity, heritage and cultural values, through providing easier access to services that encompass a more active, resilient and connected society. The Planning Proposal will support the following objective of Direction 3:

- *Objective 9 – Greater Sydney celebrates the arts and supports creative industries and innovation*

The Planning Proposal provides the opportunity to celebrate the arts and support creative industries and innovation. The masterplan for the site proposes to retain the existing central warehouse, which due to its significant size, presents a significant opportunity for the introduction of a unique business offering at the site. Creative industries are catalyst for local investment and as such, this potential offering could be a significant opportunity for the site and broader area providing facilities currently not present within the Shire, encouraging both local and international talent to the area while ensuring the containment of local employment.

##### *Direction 5: A city of great places*

Direction 5 aims to facilitate place-based planning to deliver a well-designed built environment, with inclusive and walkable mixed-use areas connected to social infrastructure and open space. The Planning Proposal will support the following objectives of Direction 5:

- *Objective 12 – Great places that bring people together*

The Planning Proposal is consistent with the above approach through the delivery of a world class business park with a well-designed built environment that is walkable and connected to open space and surrounding areas. Through this the proposal will seek to improve upon existing connections, through the establishment of a central thoroughfare that increases north-south access, as well as 'opening up' the site to the public via

the sites landscaped settings, such as the Woollooware Bay foreshore – a significant opportunity for the site, as it has been largely closed off from public access for the past 30 years.

The proposal also includes the dedication of land for the purposes of a public open space

The proposal will build upon the legacy established by Toyota through incorporating a range of four interconnected employment precincts: production, innovation, exchange and experience. These precincts will form the character of the area, as a place of opportunity to be an innovation generator. In summary, this precinct embodies all of the qualities of a creative, future-focused, employment hub.

#### *Direction 7: Jobs and skills for the city*

Direction 7 aims to increase the region's economic activity to \$655 billion by 2036, achieved by an employment growth of 817,000 jobs through building on health and education strengths and growing the advanced manufacturing sector. The Proposal will support the following objectives of the direction:

- *Objective 21 – Internationally competitive health, education, research and innovation precincts*
- *Objective 22 – Investment and business activity in centres*
- *Objective 23 – Industrial and urban services land is planned, retained and managed*
- *Objective 24 – Economic sectors are targeted for success*

The Planning Proposal will enable the reactivation of a significant landholding and historically significant employment hub, unrivalled within the Shire. The provision of high-knowledge jobs, with opportunities for innovative and creative industries, will provide a diversity of employment and encourage both local and international talent to the area. The provision of these facilities will also ensure the retention of local employment in the Shire, that may have otherwise travelled elsewhere for such opportunities.

The Proposal will create a business park with a variety of complementary uses that brings investment into the area. The provision of office and business uses will play an important role in retaining employment within the LGA, with the delivery of some 97,172m<sup>2</sup> of GFA to accommodate office and business premises, comprising some 67% of the total GFA, with the potential for greater provision if the central warehouse building is redeveloped in the future. The provision of office premises is highly consistent with the objectives of the B7 Business Park zone and strategic planning framework for the South District and Sutherland LGA.

Further, consistent with any successful business park, these uses will be supported by other complementary land uses including food and beverage (2.6% of total GFA), recreation (0.6% of total GFA) and a hotel (3.6% of total GFA). The minor nature of this offering will not remove or undermine the employment function, being the primary purpose of the site.

The statutory and strategic framework acknowledges other land uses are required to provide facilities to meet the day to day needs of workers. This is recognised by some food and beverage uses including café, restaurant and artisan food and drink industry being permissible in the B7 zone. The proposed pub and function centre uses are highly consistent with the role and function of these land uses yet is not permissible in the zone. Presumably as a means of ensuring business land is developed for that sole purpose, this Planning Proposal demonstrates that both can be achieved while enabling the development of a high amenity and attractive business park.

Further, the site is identified as 'retain and manage' under the industrial and urban services land mapping. Importantly, this planning proposal does not waiver in its commitment to the B7 Business Park zone aims and objectives. The proposal retains a link in operation through the retention of a significant warehouse and light industries offering with the delivery of approximately 37,081 sqm of warehouse and industrial GFA, and 97,172sqm of office and business premises GFA cumulatively comprising 93% of the total GFA.

#### *Direction 8: A city in its landscape*

Direction 8 places an emphasis on managing the effects of urban development to protect, restore and enhance landscapes, waterways, coastlines, natural areas, tree canopy and open spaces. The direction also aims to mitigate the effects of climate change. The Proposal will support the following objectives of the direction:

- *Objective 25 – The coast and waterways are protected and healthier*
- *Objective 27 – Biodiversity is protected, urban bushland and remnant vegetation is enhanced*

▪ *Objective 30 – Urban tree canopy cover is increased*

The Proposal respects the environmental attributes of the site and seeks to preserve and protect the biodiversity areas. The whole site is mapped as 'environmentally sensitive' land and is subject to a foreshore buffer to the 'high-biodiversity value' mangroves that exist in Woollooware Bay to the immediate north of the site. The masterplan will appropriately respond to the surrounding environmental constraints by maintaining a 40m buffer from the mean high-water mark – which is consistent with the buffer dimensions applied to recent projects in close proximity.

Further, the considered location of landscaped boulevards throughout the site will retain scenic view corridors towards the Woollooware Bay foreshore. This will ensure the natural scenic and cultural landscape is retained despite the increase in development on the site.

The site is mapped as 'restoration' under Sutherland Shire Council's Greenweb map and the adjacent mangroves are mapped as 'core'. The aim of the Greenweb Strategy is to both identify and manage significant vegetation and vegetated links throughout the Shire, to ensure the future conservation of the biodiversity of the Shire and surrounds. The project positively responds to the site's ecological values through creation of a foreshore buffer, re-vegetation and retaining long standing attributes of the existing landscaping. Proposed positioning of buildings has strategically considered the ecological site opportunities and constraints.

The landscape plan demonstrates that much of the existing planted native vegetation will be retained. This vegetation provides potential foraging habitat for native fauna. In addition, all the mapped areas of PCT 1234, which is considered part of the endangered ecological community Swamp Oak Floodplain Forest of the New South Wales North Coast, will be retained where possible. Within the foreshore buffer, the landscape plan proposes a diverse planting guide consistent with species from the Swamp Oak Floodplain EEC.

The site will also build upon the extensive landscape treatment across the site and dedicate 3,000sqm of land for public open space. This will ensure an increase in urban tree canopy and a reduction of urban heat impacts.

## South District Plan

The site is situated within the area covered by the South District Plan, released in March 2018. This District Plan has been developed by the Greater Sydney Commission and outlines the priorities and actions for the District which includes the Sutherland Shire Local Government Area. The District Plan identifies various priorities for the district area, as well as specific priorities for the Sutherland Shire LGA.

The consistency of the proposal with the District Plan is assessed in **Table 4**.

Table 4 Consistency with South District Plan

Priority	Description	Comment
Infrastructure and collaboration:		
S2	Working through collaboration	The Planning Proposal will explore the benefits of collaboration with Council, industry and the community. The 12.3-hectare site represents one of the largest business zoned land parcels under single ownership in the Sutherland Shire LGA. The proposal provides a unique opportunity for Council to be involved in the development of a world-class business park that will retain local talent and be an attractor of both regional and international talent, ultimately benefitting the community.



Priority	Description	Comment
Liveability:		
S4	Fostering healthy, creative, culturally rich and socially connected communities	The proposal aims to capitalise on the site's natural and built attributes to create a new master planned business park that supports a healthy, creative, culturally rich and socially connected community. This will be delivered through a diversity of employment uses, proposed within four interconnected precincts: production, innovation, exchange, and experience.
S6	Creating and renewing great places and local centres and respecting the District's heritage	<p>These precincts will provide complementary commercial uses for ground floor activation. .</p> <p>The proposal is seeking to add 'pub' as an additional permitted use, with connections to Solander Fields and the internal access roads. This will be a gathering place for nearby workers and residents to connect throughout the day and night, providing opportunities to grow local jobs and establish the business parks night-time economy.</p> <p>The additional permitted use of function centre will support the employment uses on the site for appropriate events and is a logical addition to service the business park.</p>
Productivity:		
S9	Growing investment business opportunities and jobs in strategic centres	<p>The District Plan acknowledges the need to “<i>create new centres including business parks</i>”, to match Greater Sydney's population growth.</p> <p>The planning proposal will remain consistent with this priority through creating a world-class business park that delivers a diversity of industrial and commercial jobs envisaged for the B7 Business Park Zone. This will be achieved through the reactivation of the currently underutilised site for a range of high-end and service support jobs.</p> <p>Based on a 2042 completion, the proposal will provide a total of approximately 5,726 direct jobs, comprising 4,859 (or 85%) commercial office jobs (with potential for more if the central warehouse is redeveloped in the future) and 651 (or 11.37%) industrial and warehouse jobs. The intent is for these jobs to be progressively delivered throughout the various development stages. As detailed within the Economic Benefits Assessment (refer <b>Appendix E</b>), the delivery of these jobs, particularly office jobs, is significant as there a considerable undersupply of office jobs within the Sutherland Shire LGA. Many workers in these industries are currently leaving the LGA for this work,</p>

Priority	Description	Comment
		<p>therefore the proposal will make a significant positive contribution to employment retention within the LGA.</p> <p>Further, the Plan also states the following, “<i>the built form of these business parks is critical – that is they need to be developed from the outset, as urban places which can transition into higher amenity and vibrant places while maintaining their main role as an employment precinct</i>”.</p> <p>Importantly, the proposal will provide a business park precinct of high-quality design, that provides connections to public open space and foreshore areas as well as encouraging places for social interaction. These are considered important features of any business park as they enable day and night activation and create a sense of place. The proposal will seek to deliver this through the additional permitted retail uses of a, pub, function centre and hotel or motel accommodation along with the dedication of 3,000sqm of public open space.</p>
S10	Retaining and managing industrial and urban services land	<p>The southern district is mapped as ‘retain and manage’ under the industrial and urban services land mapping.</p> <p>The proposal is highly consistent with this priority through the planned delivery of approximately 134,253sqm of office, business and industrial floor space, which equates to 93% of the total GFA. Included within this, is the retention of the central warehouse which is a unique building of unprecedented scale and opportunity. The building can provide a home for a variety of innovative and creatives industries and be a catalyst for the retention and attraction of talent to the Shire.</p> <p>The Plan identifies that in the Sutherland LGA the three largest industrial and urban services precincts comprise:</p> <ol style="list-style-type: none"> <li>1) Caringbah / Taren Point - &lt;1 ha of undeveloped land</li> <li>2) Kirrawee – 0ha of undeveloped land</li> <li>3) Kurnell – 43ha of undeveloped land.</li> </ol> <p>It discusses that while Kurnell has capacity to accommodate new and evolving industrial and urban activities, the peninsular is subject to some environmental constraints, including operational requirements and impacts of Sydney Airport. The opportunity to transform the subject 12.3ha landholding , which does not face the same constraints to building height, into a new precinct providing some estimated 9,101 direct and indirect jobs and approx. 144,000sqm of strategically valuable employment and ancillary floor space will therefore be a significant</p>

Priority	Description	Comment
		<p>contributor to addressing the identified benchmark of 3sqm of urban services land person which was below the benchmark in 2016 and anticipated to further decline by 2036.</p> <p>The Plan also acknowledges that from time to time, there will be a need to review the list of appropriate uses within any precinct and in consideration of evolving business practices. As identified in this Planning Proposal and by a review of other successful business park models, the provision of supportive land uses is required to service the worker population and attract businesses to the site.</p> <p>The significant planned office component of 97,172sqm providing some estimated 4,859 jobs, will go far in addressing the identified shortage of standalone office precincts in the South District, support the containment of local jobs and reduce the need to rezone or enable office as a permissible use in industrial zones (where it is currently not permissible).</p>
S11	Supporting growth of targeted industry sectors	<p>The delivery of tourist and visitor accommodation on the site will support the development of a visitor economy in the region, identified as a targeted industry sector in the District Plan.</p> <p>The plan notes that within the Sutherland Shire, of the 1 million day-trip visitors each year, less than 400,000 people stay overnight (40%). Therefore, there is an apparent need to provide additional hotel or motel accommodation stock, to ensure that daytrips are converted into overnight and extended stays, with the associated economic benefits kept within the Sutherland LGA.</p> <p>The capacity to deliver 5,188m<sup>2</sup> of hotel floor space on the site will provide the tourist-based infrastructure that is required to complement the other knowledge-based jobs at the site. The site will provide an offering that will enable short – long term accommodation for local or international visitors or workers to the area.</p> <p>Further, the site will also deliver a variety of knowledge-intensive jobs, identified as another targeted industry sector.</p> <p>The proposal will provide an innovation and production precinct that will be unique to the Shire, ensuring opportunities for new industries such as the creative arts, logistics and high-end manufacturing.</p>



Priority	Description	Comment
S12	Delivering integrated land use and transport planning and a 30- minute city	<p>The proposal contributes toward the long-term aspiration of the 30-minute city. The proposal seeks to provide a significant quantum of employment floor space in an area where over 59% of people travel outside of the LGA for work. The proposal will reduce the time people spend travelling and increase people's access to jobs and services.</p> <p>In addition, the masterplan provides a catalyst for the establishment of additional public bus stops along Captain Cook Drive near the site as well as the creation and provision of a semi-public bus/shuttle service that offers commuter transport from Caringbah Station.</p>
Sustainability:		
S13	Protecting and improving the health and enjoyment of the District's waterways	The environmental sensitivities of the Woollooware Bay foreshore are acknowledged and addressed by the masterplan. The proposal implements suitable foreshore buffers and seeks landscape improvements to protect and improve the health of the adjacent waterway.
S14	Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes and better managing rural areas	<p>The site contains and is adjacent to unique scenic landscapes, such as the Woollooware Bay Foreshore. This asset is viewed as an opportunity to improve the unique offering of the site, rather than be a development constraint, and has been celebrated and retained in the proposed concept plan.</p> <p>The distribution of built form on the site and location of development outside of the established 40m foreshore buffer, is an appropriate response to the highly valued Woollooware Bay Foreshore area. Further, improving connections to the foreshore will optimise the site's location to the north-south boardwalk, ensuring members of the community and workers of the business park can access and enjoy the scenic environment without difficulty.</p> <p>The proposal will also incorporate appropriate endemic riparian planting, such as Swamp Oak Floodplain ECC species within the foreshore buffer to support the ecological and hydrological features of the site. In addition, areas of high ecological value will retained where possible.</p>
S15	Increasing urban tree canopy cover and delivering Green Grid connections	Extensive landscaping will be maintained and built upon throughout the site, particularly along the Woollooware Bay Foreshore. 3,000sqm of land will also be dedicated to council for public open space purposes. As detailed within the Landscape Plans (refer <b>Appendix C</b> ), the proposed tree canopy coverage will be approximately 81,900m <sup>2</sup> after

Priority	Description	Comment
		the development, which will help improve amenity, site sustainability and reduce heat island effects.

The Planning Proposal addresses the Assessment Criteria within the DPIE guidelines as summarised below:

#### Changing Circumstances

The Planning Proposal will give effect to the South District Plan as outlined in **Table 4** above and the local strategic planning statement as outlined in response to Question 4 below. The proposed amendments also respond to the change in ownership of the land.

The site has been historically owned and operated by Toyota Motor Corporation Australia (TMCA) over the last 30 years. TMCA's operations comprised some 42,000sqm of office and light industrial floor space, and provision of around 500 jobs at the height of its operations. Under its previous ownership, the site never truly delivered on the intent of the B7 zone or its capacity to accommodate a significantly greater quantity of strategically valuable employment floorspace as envisioned by the planning controls.

Following TMCA's transitional exit from the site since 2017, the site was acquired by Aliro Group in 2020. The sale of the site to the Proponent provides a significant opportunity to reactive one of the largest underdeveloped business zoned landholdings in the LGA by delivering a true business park model including complementary land uses and the provision of thousands of jobs.

It is considered that the Planning Proposal meets the relevant criteria of the Strategic Plan test as it is entirely consistent with the Greater Sydney Region Plan and associated South District Plan. It is also highly consistent with the Local Strategic Planning Statement which earmarks the site as a strategically important employment site.

#### **(b) Does the proposal have site-specific merit?**

**Yes.** In addition to meeting the strategic merit criteria, a Planning Proposal is required to demonstrate site-specific merit against the following criteria:

- *The natural environment*
- *Existing, approved, and likely future uses in vicinity of site*
- *Services and infrastructure that or will be able to be available to meet the demands arising from the proposal*

The proposal will retain and protect areas of environmentally sensitive land and land of high biodiversity value surrounding the site. The site itself contains areas of Swamp Oak Floodplain Forest endangered ecological community, which is identified as a high ecological constraint. These areas seek to be protected and retained where possible as part of the masterplan. The masterplan also adopts a 40m buffer from the mean high water mark to manage the impacts to the adjacent coastal wetland including the 'high biodiversity value' mangrove forest and proposes a diverse planting guide consistent with species from the Swamp Oak Floodplain EEC within the foreshore buffer.

The Planning Proposal will retain the intended business and light industrial uses for the site, consistent with the zoning of the land and the established Caringbah/ Taren Point industrial precinct to the immediate west. As outlined in the strategic documents applying to the site, there is significant demand for additional employment floorspace within the region to support population growth, to accommodate the shifting role of traditional industrial lands to complex employment hubs, achievement of the 30-minute city concept, reducing time spent travelling to work and increasing people's access to jobs and services. It is evident that there is limited undeveloped industrial and urban services land in the south district and specifically in the Sutherland LGA, so maximising the amount provided on this site is critical to support the city's productivity and integrated economy.

Therefore, the proposal presents an opportunity to deliver strategically valuable employment floor space, whilst the provision of additional permitted uses provides the required amenities to support the existing and anticipated workforce and deliver on other strategic priorities around growing tourism within the District and LGA. Further, the approach to building height respects the surrounding character through the provision of a

scaled transition to the boundaries to manage the environmental impacts to the adjacent low density neighbourhood and Solander Playing Fields. The proposed maximum height in the centre of the site is also highly consistent with the maximum heights that apply to the Woollooware Bay residential neighbourhood to the east of the site.

Given the former use of the site, the site is already serviced by local infrastructure and services including water, sewer and electricity systems. Given the nature of the Planning Proposal request it is not considered the changes alone will influence the need for infrastructure upgrades but where required augmentation of these services to accommodate the delivery of the masterplan will be undertaken.

#### **Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?**

Yes. The Planning Proposal is consistent with the relevant Sutherland Shire Council local planning strategies and plans as outlined in **Section 4.5** and as discussed in the following sections.

#### **Sutherland Shire Local Strategic Planning Statement**

The *Sutherland Shire Local Strategic Planning Statement* prepared by Sutherland Shire Council was on exhibition from 11 September to 25 October 2019. On 24 April 2020, Council endorsed a draft LSPS, however proposed changes were subsequently recommended to allow a Letter of Support to be issued by the Greater Sydney Commission (GSC) to enable final endorsement. The changes were incorporated into a Final Draft LSPS which was endorsed by Council at its meeting on the 24 August 2020. The purpose of the LSPS is to guide land use planning within the area over the next 20 years.

An assessment of the Planning Proposal against the relevant planning priorities of the LSPS is detailed in **Table 5** below.

Table 5 Sutherland Shire Local Strategic Planning Statement 2020

<b>Planning Priority (PP)</b>	<b>Assessment</b>	<b>Consistency</b>
<i>Planning Priority 6 – Collaborative Partnerships</i>	<p>The LSPS identifies that “<i>large strategic land holdings represent opportunities for Council to collaborate with landowners to provide the community with open space, infrastructure and other outcomes that would be otherwise unachievable</i>”.</p> <p>At 12.3 hectares in size, the site represents one of the largest business zoned land parcels in single ownership in the LGA and is identified in the Structure Plan as a ‘strategic site’.</p> <p>The opportunity to achieve a substantial business park offering in the Sutherland Shire is constrained and largely unachievable on other sites due to factors such as zoning restrictions, fragmented ownership structure, site constraints and sensitive interfaces.</p> <p>Without this Planning Proposal, the amount of employment floor space delivered on this site would be substantially reduced. Further, the inability to achieve the complimentary additional permitted uses would hinder the desirability of this site and prove difficult for it to stand in competition with other successful business parks. With a lack of other suitably zoned, and ready to be developed, employment land in the LGA, the current issues</p>	Yes

Planning Priority (PP)	Assessment	Consistency
	<p>around employment self-containment will be further exacerbated.</p> <p>This Planning Proposal therefore represents a key opportunity for Council and Aliro Group to work together to achieve an important employment opportunity for the Sutherland Shire community.</p>	
<i>Planning Priority 7 – Respect local character</i>	<p>The LSPS discusses that when considering where to locate new development, the strong preference is a concentrated approach to density in contrast to a dispersed model.</p> <p>The proposed approach to building height is highly consistent with this sentiment. The strategy for height on this site is informed by the following principles</p> <ol style="list-style-type: none"> <li>1. Concentration of height and density in core of site where environmental impacts can be managed within the site. The heights in the core of the site are consistent with the 50m maximum building height control that applies to the Woollooware Bay residential development to the east.</li> <li>2. Maximise views to Woollooware Bay.</li> <li>3. Protect amenity to Solander Playing Fields and adjacent low-density Residential neighbourhood by transitioning heights to the boundaries</li> </ol> <p>The above principles have informed the maximum 50m height control in the centre of the site that transitions to 30m for the remainder of the site and 25m for the eastern boundary.</p> <p>Maintaining and improving the scenic and environmental qualities of Woollooware Bay is also a key consideration of the masterplan.</p>	Yes
<i>Planning Priority 11 – Attractive and Distinctive Centres and Places</i>	<p>Since the late 1980's, the site has been occupied by a single company with its operations being largely insular, meaning the site has been closed off from public access.</p> <p>The proposal seeks to deliver on the aims of the zone and provide a world class business park. With this comes an opportunity to 'open up' the site to the public which has some distinguishable environmental features most notably its proximity to the Woollooware Bay foreshore.</p> <p>The Structure Plan identifies the site as being located within the "Coastal Destination Area" – being an area</p>	Yes



Planning Priority (PP)	Assessment	Consistency
	<p>that is a primary focus of recreation and visitation in Sutherland Shire. The LSPS notes that these areas offer exceptional and rare recreational opportunities.</p> <p>The Woollooware Bay Shared Pathway, which immediately adjoins the site to the north, is a key feature of the coastal area and Solander Playing Fields is a highly activated parkland. The opportunity to facilitate public access within and through the site will further enhance the amenity of these key attractors complimented by uses that seek to activate the site during the evening and on weekends and a range of building forms, streets and pedestrian links that provide the foundation for the creation of a great place.</p>	
<p><i>Planning Priority 15 – Grow industrial and urban services jobs</i></p>	<p>The LSPS acknowledges that over half of its resident workforce (approximately 55%) travel outside of the LGA for work and the resident workforce far outnumbers local employment opportunities.</p> <p>To improve employment self-containment rates, Council introduced the B7 Business Park zone into the Sutherland Shire LEP 2015 to reflect the changing nature of manufacturing, industry and business services, and to optimise the future employment-generating potential of its industrial areas. This zone was applied to four large, underutilised precincts in the Taren Point/ Caringbah employment area including the subject site. The Employment Strategy 2031 noted that the B7 zone has the potential to generate between 4,400 and 10,000 new jobs.</p> <p>It has been over 5 years since the introduction of the B7 zone, and since then few sites have been developed for this intent. The LEP enables B7 zoned land forming part of 31 Bay Road, Taren Point (approximately 4.83 hectares) to be developed for ‘seniors housing’ – and construction for this purpose is currently underway.</p> <p>Based on these trends, the site has significant role to play in growing industrial and urban services jobs in the Shire. The LSPS acknowledges the site in this regard as a “<i>strategically important employment site</i>”.</p> <p>The existing site is significantly underutilised. The site accommodates some 42,000sqm of floor space and at the height of the former landowners operations, provided some 500 jobs.</p>	<p>Yes</p>

Planning Priority (PP)	Assessment	Consistency
	<p>The Masterplan proposes approximately 144,000sqm of employment floor space, which is estimated to generate some 5,726 direct jobs. There is potential for the employment floor space to grow to 185,000sqm if the central warehouse were to be redeveloped in the future.</p> <p>It is acknowledged that the LSPS seeks to retain industrial and services lands to support employment growth and prevent precincts evolving into retail or residential precincts that preclude urban services uses from operating. Unlike sites such as 31 Bays Road, Taren Point the proposal seeks to develop the site primarily for employment purposes and is not seeking to establish a new retail or residential precinct.</p> <p>However, it must be acknowledged that the role and function of business parks has evolved over time as too have expectations in terms of the amenity and offering of business precincts. As outlined in the LSPS, the Caringbah/ Taren Point precinct comprises the most jobs (10,003), the most urban services and highest GVA compared to any other industrial and urban services precinct in the LGA. At present, the Caringbah/ Industrial precinct comprises minimal complementary uses in a walkable catchment, requiring workers to travel via vehicle to nearby centres.</p> <p>The site itself is anticipated to accommodate some 5,726 direct jobs (over half of the existing workforce in the precinct). Therefore, the need for convenience based and supportive uses within a walkable catchment becomes increasingly important.</p> <p>The proposed approach to enabling 'pubs' 'at the site, which fall under the same 'retail premises' umbrella land use definition of other uses already permissible on the land, but capping the amount permissible will ensure its role is supportive in nature and does not diminish the strategic intent of the zone or impact existing and planned centres.</p>	
<i>Planning Priority 17 – Grow Tourism</i>	<p>The LSPS discusses that the undersupply of commercial tourist accommodation is the Shire's greatest barrier to growing the tourism sector.</p> <p>The proposal is highly consistent with this Priority, as it seeks to enable hotel or motel accommodation as an additional permissible use on the site. The</p>	<p>Yes</p>

Planning Priority (PP)	Assessment	Consistency
	proposed land use will complement the employment and retail offering and assist in activating the site outside of the core business hours.	
<i>Planning Priority 18 – Waterways and Beaches Quality</i>	The proposal acknowledges the environmental qualities and sensitivities of the adjacent Woollooware Bay foreshore. The proposal adopts a 40m buffer to manage environmental impacts and includes a substantial landscaping strategy within the buffer including a diverse planting guide consistent with species from the Swamp Oak Floodplain EEC.	Yes
<i>Planning Priority 19 – Aboriginal Heritage, Natural Habitats and Landscapes</i>	<p>The site is mapped as 'restoration' under Sutherland Shire Council's Greenweb map and the adjacent mangroves are mapped as 'core'.</p> <p>The LSPS discusses that restoration areas are where there is a commitment to re-establishing indigenous vegetation to provide links between core areas of habitat. The landscape masterplan (refer <b>Appendix C</b>) increases the vegetation within the 40m buffer to the mapped core mangroves with proposed endemic riparian planting.</p>	Yes
<i>Planning Priority 20 – Urban Tree Canopy</i>	<p>Extensive landscaping will be maintained and built upon throughout the site, particularly along the Woollooware Bay Foreshore and along the site's interface to Solander Playing Fields. As detailed within the Landscape Plans (refer <b>Appendix C</b>), the proposed tree canopy coverage will be approximately 81,00m<sup>2</sup> after the development, which will help improve amenity, site sustainability and reduce heat island effects.</p> <p>3,000sqm of land is also proposed to be dedicated to Council for the purposes of public open space.</p>	Yes
<i>Planning Priority 21 – Green Grid Connections</i>	The Woollooware Bay Shared Cycle Way is identified as a priority greengrid link. The proposed masterplan provides opportunities for integration with this link.	Yes
<i>Planning Priority 22 – Efficiency and Innovation</i>	<p>The LSPS acknowledges that large strategic sites provide opportunities to adopt and integrate sustainable practices.</p> <p>It is intended that social, environmental and economic sustainability will be embedded in the precinct.</p> <p>The development will become an inclusive and inviting mixed-use precinct optimised for active and public transport. Socially sustainable, the precinct will</p>	

Planning Priority (PP)	Assessment	Consistency
	<p>include community infrastructure, high performing buildings, a range of parks and landscaped corridors which enable a network of non-transactional spaces alongside retail, industrial and commercial uses.</p> <p>Coupled with investment in high quality building design, on-site energy generation, integrated water life-cycle management and urban tree canopy, the site will fully engage with its environmental impact and seek to mitigate the urban heat island effect.</p> <p>The potential staged delivery of the precinct will support increased investment in the region and the revitalisation of the local area.</p>	
<i>Planning Priority 23 – Manage Risks from Hazards</i>	As outlined in the technical reports accompanying this Planning Proposal request, the risks from hazards are able to be mitigated and managed as part of the detailed design phase.	Yes

## Sutherland Shire Employment Strategy 2031

The Sutherland Shire Employment Strategy was released in January 2013 and was prepared to guide the content of the Sutherland Shire LEP 2015.

The Sutherland Shire Employment Strategy is the long-term plan that sets out the employment vision and aims of the local government area by 2031. The Plan is underpinned by the following eight aims:

1. To ensure sufficient zoned land to achieve State employment targets
2. To protect strategic employment lands for the future
3. To improve employment self-containment
4. To address the growth in demand for bulky goods retailing
5. To support and expand existing magnet infrastructure
6. To investigate the formation of a combined higher learning precinct utilising the specialties of ANSTO
7. To resolve the competing roles of Sutherland Shire's major centres
8. To support the growth of home-based businesses

The three aims of relevance to the proposal are outlined and discussed as follows:

### *Aim 1 – To plan for sufficient zoned land to achieve State employment targets*

The Strategy identifies the former owner of the site, Toyota, as a major local employer that “*has the potential to grow in a way that will either utilise the underlying skill sets of Shire residents or generate wider economic benefits for the area.*” It also identified that the Taren Point/Caringbah area and the Kurnell Peninsula had the best employment growth potential in the Shire, due in part to them having large areas of underutilised land.

In response to this statement, the strategy acknowledges that the B7 Business Park Zone was introduced under the 2015 LEP and applied to a selection of large, underutilised lots in the Taren Point / Caringbah employment area. Under the B7 Business Park designation, the strategy estimates that these sites have the potential to support new, large floor plate offices in attractive settings. If this potential is taken up, the zone



will attract major new white-collar employers to the Shire. Estimates place the number of potential new jobs between 4,400 and 10,000.

As demonstrated in the Economic Benefits Assessment (refer **Appendix E**), the masterplan has the potential to deliver some 5,726 direct jobs and 3,375 indirect jobs, representing a significant contribution toward the number of jobs envisaged under the strategy. The job provision has the ability to increase well beyond this if this central warehouse is redeveloped in the future.

#### *Aim 2 – To protect strategic employment lands for the future*

The Strategy acknowledges that there has been a shift in the economic climate away from traditional manufacturing, to other high-end industries. This has resulted in appropriate land rezoning's that reflect market uncertainty and provide greater flexibility of uses. The sites rezoning to the B7 Business Park zone under the SSLEP 2015 achieves this.

Consistent with the objectives of the B7 zone, the site will provide approximately 97,172sqm of office and business premises GFA (with potential; for greater provision in the future if the warehouse building is redeveloped) and 37,081sqm of industrial, warehouse and ancillary office GFA. Importantly, the B7 employment land is being retained at the site, as envisaged under the Strategy and Sutherland Shire LSPS.

Contextually, there is approximately 42 hectares of B7 zoned land within the Shire and the site comprises approximately 12ha or 27% of this land (refer **Figure 28** below). Of the land rezoned to B7 Business Park under the LEP review, few sites have been redeveloped or achieved the intent of the zone to date. Schedule 1 of the LEP enables 3.1ha (7.5% of all B7 zoned land) at 31 Bay Road, Taren Point to be developed for seniors housing, and development for this intent is currently underway.

Therefore, the strategic importance of the subject site and the need to maximise the development potential of this site for employment purposes cannot be understated.

Figure 28 Map of B7 Zoned Land within Sutherland Shire LGA



Source: Urbis

### Aim 3 – To improve employment self-containment

The Strategy notes the Sutherland Shire experiences poor job containment rates and is a net exporter of workers. To improve job containment rates, it is acknowledged that Shire residents that currently work out of the area must have equal or better employment prospects available to them locally.

The proposal will seek to deliver this through provision of new employment floor space. These employment opportunities will be enhanced through the delivery of high-quality architectural design, public open space, amenity, access and connectivity to nearby centres.

The Economic Benefits Assessment (refer **Appendix E**), identified that approximately 59% of Sutherland Shire resident workers travel outside of the LGA for work. The assessment also demonstrated that the Shire also experiences a significant undersupply of office jobs, meaning that these workers travel elsewhere for employment. Therefore, the proposals considerable provision of commercial office jobs (some 4,859 jobs) will make a significant positive contribution to employment retention within the LGA.

### Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

**Yes** – the Planning Proposal is consistent with relevant SEPPs as identified and discussed in the following table.

Table 6 Consistency with SEPPs

SEPP	Consistency
<i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>	The Planning Proposal does not contain provisions that will contradict or hinder the application of the SEPP.
<i>State Environmental Planning Policy (Infrastructure) 2007</i>	<p>The Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State by (amongst other things) identifying matters to be considered in the assessment of development adjacent to particular types of development.</p> <p>As the size and capacity of the development will exceed the thresholds identified in Schedule 3 of the SEPP, future development applications will require referral to Roads and Maritime Services in accordance with clause 104 of the SEPP.</p> <p>Consultation with TfNSW will also occur as part of this planning proposal as conditioned as part of the Gateway Determination.</p>
<i>State Environmental Planning Policy No. 55 Remediation of Land</i>	<p>Clause 6 of SEPP 55 requires in the event of a change of land use, the planning authority must consider whether the land is contaminated, if the land can be suitably remediated for the proposed use.</p> <p>A Remedial Action Plan has been prepared by JBS &amp;G and is submitted at <b>Appendix F</b>. The RAP identifies that in order to render the site suitable for the mix of uses proposed, remediation/ management of asbestos impacted fill, and removal of the UPSS infrastructure, hydrocarbon impacted</p>

SEPP	Consistency
	fill (if present) are required. The report concludes that following completion of the remediation works the site will be suitable for the proposed land uses.
<i>State Environmental Planning Policy No. 64 Advertising and Signage</i>	Detailed compliance with SEPP 64 provisions will be demonstrated within all future development applications relating to signage and advertising on the site.
<i>State Environmental Planning Policy (Coastal Management) 2018</i>	<p>The northern portion of the site is mapped as “Proximity Area for Coastal Wetlands”, “Coastal Environment Area” and “Coastal Use Area” under the Coastal Management SEPP 2018.</p> <p>The relevant coastal impacts have been addressed as part of the Ecological Report (refer <b>Appendix H</b>) and found to be acceptable.</p>

#### Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

**Yes** – the Planning Proposal is consistent with relevant Ministerial directions under section 9.1 of the EP&A Act as identified and summarised in the following **Table 7**.

Table 7 Consistency with Section 9.1 Directions

Direction	Consistency
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	<p>The proposal gives effect to the objectives of this direction as it seeks to retain the zoning of the site for B7 Business Park, significantly increase employment floor space relative to the existing situation and support the viability of identified centres.</p> <p>The employment role of the site is consistent with the zoning and Council’s strategic vision for the site. While this Planning Proposal seeks to add additional permitted uses, this is proposed to be capped at a specific amount to guarantee their role is supportive and does not take away from the primary employment purpose. .</p>
1.2 Rural Zones	Not applicable.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4 Oyster Aquaculture	<p>Not applicable.</p> <p>The site sits outside areas declared as “priority oyster aquaculture areas” as per the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i> (2006) (“the Strategy”).</p>
1.5 Rural Lands	Not applicable.

Direction	Consistency
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	<p>The site is mapped as ‘environmentally sensitive land’ in the SSLEP 2015 and the site adjoins land that is mapped as ‘high biodiversity value’.</p> <p>The proposal is consistent with the objectives of this direction as it seeks to protect and conserve environmentally sensitive areas.</p> <p>The Ecological Report (refer <b>Appendix H</b>) discusses that the proposal positively responds to the site’s ecological values. It is noted that the master plan proposes to adopt a 40m foreshore buffer for the reasons set out in the Ecological Report and summarised in this report.</p> <p>Consultation with Fisheries NSW and the NSW Environment Protection Authority will occur as part of this planning proposal as conditioned by the Gateway Determination.</p>
2.2 Coastal Management	<p>The northern portion of the site is mapped as “Proximity Area for Coastal Wetlands”, “Coastal Environment Area” and “Coastal Use Area” under the Coastal Management SEPP 2018.</p> <p>The relevant coastal impacts have been addressed as part of the Ecological Report (refer <b>Appendix H</b>) and found to be acceptable.</p> <p>Consultation with Fisheries NSW and the NSW Environment Protection Authority will occur as part of this planning proposal as conditioned by the Gateway Determination.</p>
2.3 Heritage Conservation	Not applicable.
2.4 Recreation Vehicle Areas	Not applicable.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable.
2.6 Remediation of Contaminated Land	<p>A Remedial Action Plan has been prepared by JBS &amp;G and is submitted at <b>Appendix F</b>. The RAP identifies that in order to render the site suitable for the mix of uses proposed, remediation/management of asbestos impacted fill, and removal of the UPSS infrastructure, hydrocarbon impacted fill (if present) are required. The report concludes that following completion of the remediation works the site will be suitable for the proposed land uses.</p>
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	Not applicable.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable.



Direction	Consistency
3.3 Home Occupations	Not applicable.
3.4 Integrating Land Use and Transport	<p>The proposal gives effect to the objectives of improving access to jobs and services, reducing distances travelled and increasing the choice of available transport and reducing dependence on cars.</p> <p>The proposal seeks to provide a significant quantum of employment floor space in an area where over 59% of people travel outside of the LGA for work. The proposal will reduce the time people spend travelling and increase people's access to jobs and services.</p> <p>In addition, the masterplan provides a catalyst for the establishment of additional public bus stops along Captain Cook Drive near the site as well as the creation and provision of a semi-public bus/shuttle service that offers commuter transport from Caringbah Station.</p> <p>Consultation with TfNSW will also occur as part of this planning proposal as conditioned as part of the Gateway Determination.</p>
3.5 Development Near Regulated Airports and Defence Airfields	<p>A review of the relevant airspace limitations affecting the site show's that the site is not affected by any Inner Horizontal Surface Heights, and the Outer Horizontal Surface affecting the site is 156m AHD.</p> <p>The proposed heights sought as part of this Planning Proposal request will not impact the OHS.</p>
3.6 Shooting Ranges	Not applicable.
3.7 Reduction in non-hosted short term rental accommodation period	Not applicable.
<b>4. Hazard and Risk</b>	
4.1 Acid Sulphate Soils	<p>The entire site is mapped as Class 3 acid sulfate soils under the Sutherland LEP 2015.</p> <p>An Acid Sulfate Soil Management Plan has been prepared and is submitted at <b>Appendix K</b>. The ASSMP identifies that based on investigation to date, site characterisation data available for subsurface conditions across the site has identified the occurrence of PASS material at depth, primarily situated within natural alluvial soils at depths of ≥2-3 m bgs, and beneath the water table.</p> <p>The ASSMP provides a methodology to manage the risks associated with the proposed activities which when successfully implemented will minimise the environmental risks associated with disturbance of the ASS materials.</p>

Direction	Consistency
4.2 Mine Subsidence and Unstable Land	Not applicable.
4.3 Flood Prone Land	<p>The proposal is not identified as a Flood Planning Area under clause 6.3 of the Sutherland Shire LEP 2015, however it is identified as flood prone under the Woollooware Bay Catchment Flood Study.</p> <p>The planning proposal does not seek to rezone land, and therefore clause 5 of this direction is not applicable.</p> <p>A flooding assessment has been prepared (refer <b>Appendix I</b>) which gives effect to and is consistent with the relevant provisions and policies set out in clause 4 of the direction.</p> <p>The Woollooware Bay Catchment Flood Study identifies the site as being within a flood planning area and between the flood planning area and probable maximum flood. An assessment against clause 6 and 7 of this direction is provided as follows:</p> <p>a) Part of the site is identified as a floodway in the 100 YR ARI Design Flood Event and PMF Event and the site is surrounded by a floodway. Despite this, the proposal is supported by a flooding assessment which identifies that the proposed LEP amendments will not change how flooding is managed on site.</p> <p>b) The Planning Proposal is not anticipated to result in significant flood impacts to other properties. Flood modelling to be undertaken at the DA stage to confirm impacts to surrounding properties.</p> <p>c) The Planning Proposal does not seek to permit residential accommodation or seek a significant increase in dwelling density on the land.</p> <p>d) The proposal seeks to increase the height of building standard but does not seek to increase the density of development currently permitted by the existing planning controls.</p> <p>e) The Planning Proposal does not seek to permit development for the purposes of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing. Where these land uses are currently permissible on the land, their suitability will be assessed at the Development Application stage. The Planning Proposal is also not likely to affect the safe occupation of and efficient evacuation of the lot.</p> <p>f) The Planning Proposal does not seek to permit development without development consent.</p> <p>g) The Planning Proposal is not likely to result in significantly increased requirement for government spending on emergency</p>

Direction	Consistency
	management services, flood mitigation and emergency response measures.  h) The Planning Proposal does not seek to permit hazardous industries or hazardous storage establishments.
4.4 Planning for Bushfire Protection	Not applicable.
<b>5. Regional Planning</b>	
(5.1 – revoked)	-
5.2 Sydney Drinking Water Catchments	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
(5.5-5.8 – revoked)	-
5.9 North West Rail Link Corridor Strategy	Not applicable.
5.10 Implementation of Regional Plans	Not applicable.
5.11 Development of Aboriginal Land Council land	Not applicable.
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	This is an administrative requirement for the RPA.
6.2 Reserving Land for Public Purposes	Not applicable. The 3,000sqm of land is proposed to be dedicated to Council through a Voluntary Planning Agreement (VPA) and is not proposed to be identified on the Land Reservation Acquisition Layer.
6.3 Site Specific Provisions	The objective of the direction is to discourage unnecessarily restrictive site-specific planning controls.  This Planning Proposal refers to an indicative design concept that is subject to change during the preparation and assessment of future development applications. The design concept has the role of displaying what is potentially achievable with the proposed changes to SSLEP 2015.

Direction	Consistency
	The proposed additional permitted uses will increase the variety of uses permitted on the site. They will be subject to a floor space cap, however this is proposed to ensure consistency with the objectives of the B7 Business Park Zone.
<b>7. Metropolitan Planning</b>	
7.1 Implementation of A Plan for Growing Sydney	The Planning Proposal is consistent with the vision, land use strategy, and directions contained within the <i>Greater Sydney Regional Plan 2018</i> and <i>South District Plan</i> as discussed in <b>Section 8.2</b> .
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable.
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable.
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable.



## 8.3. ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

### Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Eco Logical Australia (ELA) prepared an Ecological Constraints Report (refer **Appendix H**) to present the ecological values and development constraints of the site through both a desktop and field validated assessment of the vegetation communities and habitat values present. A summary of the results are discussed below.

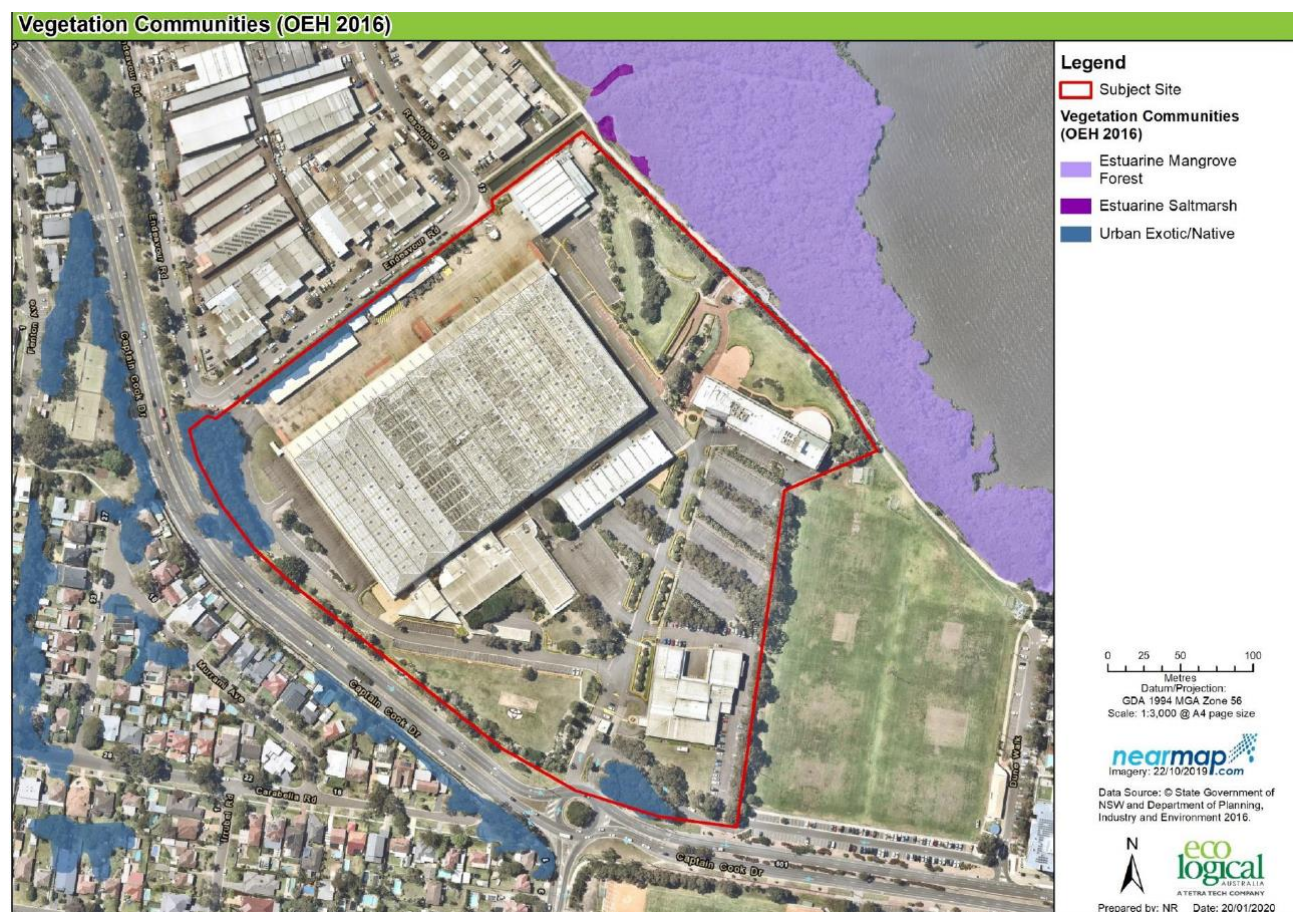
#### Desktop Assessment

The desktop assessment reviewed a variety of relevant documents including the Commonwealth online Protected Matters Search Tool (PMST), BioNet Atlas of NSW Wildlife database, Sydney Metro CMA vegetation mapping (OEH 2016), Online Biodiversity Values Map (OEH 2018), Historical aerial photos (Shire Maps), Sutherland LEP and ePlanning Spatial Viewer.

#### Previous Vegetation Mapping

As detailed within **Figure 29**, vegetation to the north of the site has been previously mapped as Estuarine Mangrove Forest along with patches of Estuarine Saltmarsh fringing Woollooware Bay. In addition, parts of vegetation around the perimeter of the site was mapped as Urban Exotic/Native.

Figure 29 Previous vegetation mapping of the site and surrounding land



Source: Eco Logical Australia

#### Key Fish Habitat and DPE Foreshore Buffer

As detailed in **Figure 30**, the northern foreshore of Woollooware Bay, adjacent to the site is identified as a 'key fish habitat' by DPI and a foreshore buffer is to be included where available. The proposal will provide a 40m buffer, which is deemed acceptable for the following reasons:



- the precedence set by the recent Woollooware Bay Town Centre development, where a 40 m foreshore buffer was accepted
- the presence of an existing council cycleway/walkway between the subject site and the wetlands, which fragments and separates the subject site from the wetlands
- the presence of existing buildings and other hardstand structures within the 50 m foreshore buffer
- constraints associated with the existing Ausgrid overhead power lines easement.

The proposed 40m buffer will be subject to further consultation with Fisheries NSW and the NSW Environment Protection Authority as part of this planning proposal as conditioned by the Gateway Determination.

Figure 30 Biodiversity Values, Key Fish Habitat and DPI Foreshore Buffer



Source: Eco Logical Australia

The Report considers the relevance to the planning proposal of:

- Marine Estate Management Act 2014
- State Environmental Planning Policy (Coastal Management) 2018
- Water Management Act 2000
- Sutherland Shire Council LEP 2015
- Sutherland Shire Council Greenweb

The expert ecologist forms the view that none of the above legislation imposes a constraint on the planning proposal, they will however be a consideration at later stages of the development (i.e. development application stage).

## Field Survey

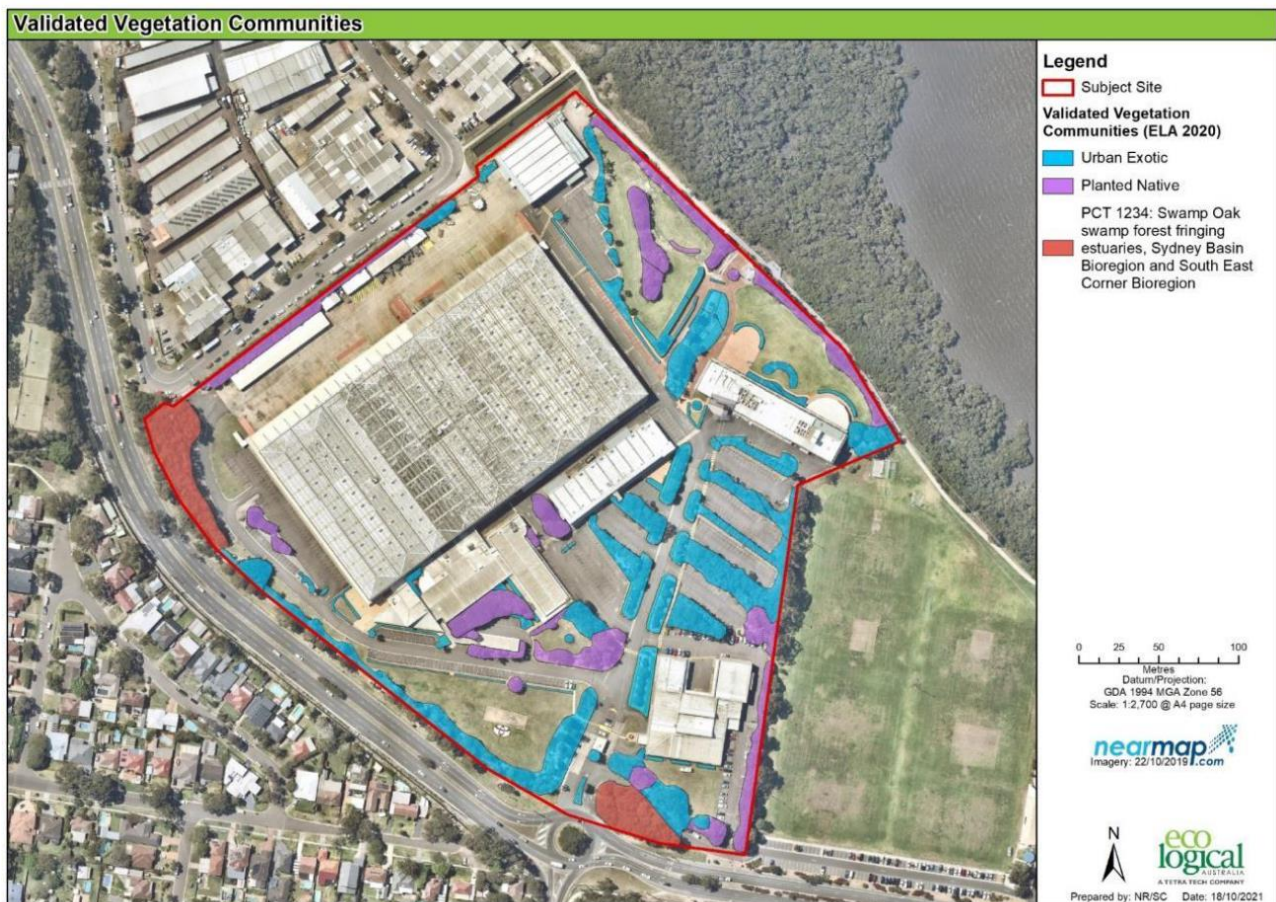
Site inspections were conducted in February and March 2020 by ELA ecologists to validate the vegetation communities present at the site. Vegetation is to be assigned to a best-fit plant community types (PCT) under the NSW Biodiversity Assessment Method (BAM) if dominated by species native to NSW. It was found that approximately 1.08 ha of vegetation across the site was dominated by species native to NSW and one naturally occurring PCT: *PCT 1234: Swamp Oak Swamp Forest Fringing Estuaries, Sydney Basin Bioregion and South East Corner Bioregion (Poor condition)*

- *PCT 1832: Tuckeroo – Lilly Pilly – Cheese Tree Littoral Rainforest on sand dunes in the Sydney basin (Planted)*

Other non-native vegetation was categorised as ‘urban exotic’ and was most prevalent throughout the site.

The location and value of these vegetation types is located in **Figure 31** and **Figure 32** below.

Figure 31 Validated Vegetation Communities



Source: Eco Logical Australia



Figure 32 Ecological Constraints



Source: Eco Logical Australia

As detailed above, an area of Swamp Oak Floodplain Forest endangered ecological community (ECC) (as listed under the Biodiversity Conservation Act) is located in the south western corner and the south eastern corner near the entrance to the site, which is consistent with PCT 1234 *Swamp Oak Swamp Forest Fringing Estuaries*. As a result, these areas have been assigned a high ecological constraint, along with areas identified within the proximity to coastal wetlands mapping. These areas are proposed to be retained where practically possible, with further planting of Swamp Oak Floodplain ECC species to be provided within the foreshore buffer.

The report concluded that other native plantings are identified as a moderate ecological constraint as they have the potential to provide foraging habitats for threatened microbats and Grey-headed Flying Foxes. The other remaining vegetation is classed as low ecological constraint due to being non-native to NSW.

Overall, the proposed urban design and landscaping will positively respond to the site's existing ecological values through the creation of a foreshore buffer, re-vegetation and retaining a large portion of existing landscaping.

During the visual assessment for fauna habitat features and threatened species at the site, there were no direct observation of microbats or Grey-headed Flying-foxes identified and the vegetation was described as being low-quality in terms of habitat for roosting. The report also concludes that while some vegetation onsite will be a resource for microbats foraging, such resource is widespread in the locality. As such, the foraging resources onsite are described as a moderate ecological constraint to future development. Therefore, the planning proposal can reasonably proceed with the comfort that subsequent consultation with government authorities will provide the opportunity for further consideration of this factor.

#### **Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

There are not likely to be any environmental impacts associated with the future development of the land that cannot be suitably mitigated through detailed design development, as discussed in the following sections.



## Height, Bulk and Scale

The site intends to concentrate density within the core of the site to minimise any potential impacts of overshadowing on adjacent areas. As detailed in **Figure 33**, height and density is to be concentrated in the centre of the site and subsequently reduced around the perimeter.

As detailed in **Figure 33** below, the indicative concept scheme represents an approach to appropriately manage associated impacts of additional height, such as overshadowing, through a design that is responsive to its context. The development will incorporate its greatest height of 50m in the centre of the site, that reduces to 30m and then 25m along the eastern boundary to Solander Playing Fields. This is proposed to respond to the low density residential dwellings on the southern side of Captain Cook Drive and Solander Playing Fields that adjoin the eastern property boundary. This will allow (through appropriate design) for acceptable transition to the surrounding area to be released while unlocking additional density currently permissible on the site. Further built form controls are proposed in the site specific Development Control Plan (refer **Appendix J**) to guide the future built form of the site and ensure the impacts to the surrounding area are minimised.

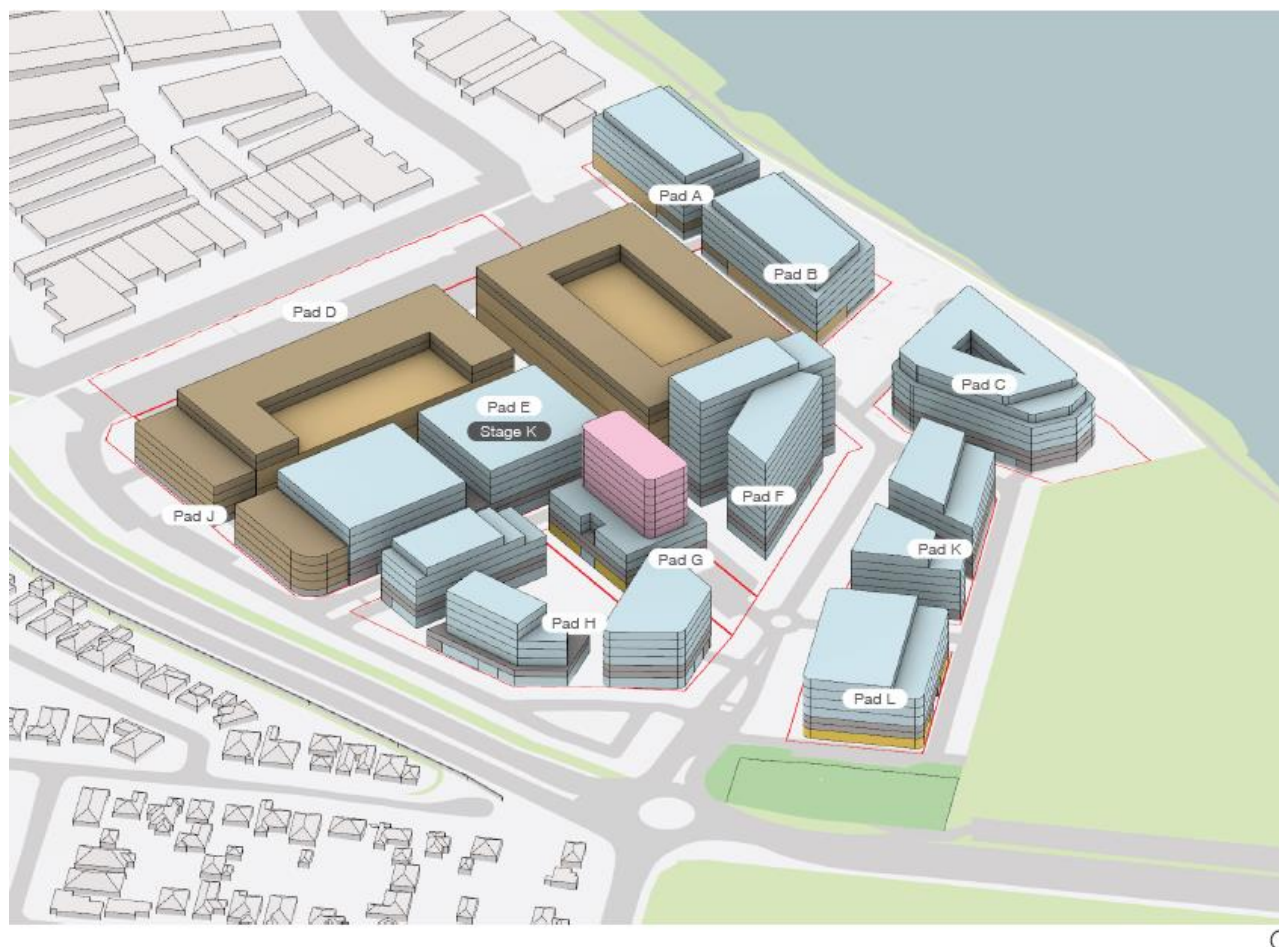
The indicative concept scheme anticipates the retention of the central warehouse building, which means the proposed 30m height of building control is not achieved in this location, or the 1:53:1 FSR. The Urban Design Report documents a potential future option (stage K) which illustrates an approach to developing the warehouse site into a multi storey industrial and office complex that maximises the height and FSR controls proposed by this Planning Proposal. Stage K is illustrated in **Figure 34**.

Figure 33 Indicative Concept Design Site Aerials



Source: SJB

Figure 34 Indicative Future Stage K



Source: SJB

### Overshadowing Impacts

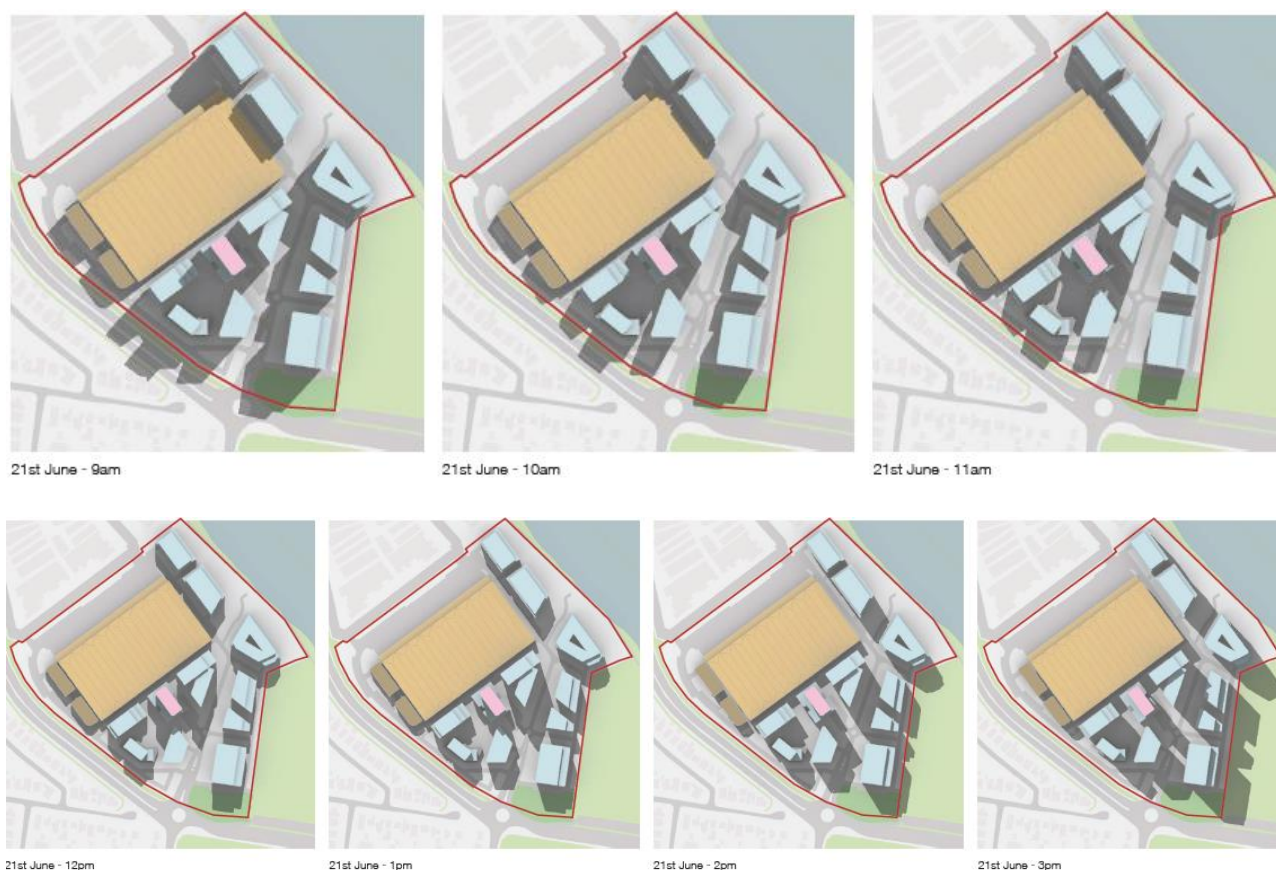
The Urban Design Study (refer **Appendix B**) prepared by SJB considers any proposed overshadowing impacts associated with the development. These considerations take into account the shadow impacts of nearby residential along Captain Cook Drive and public open space areas such as Solander Fields to the east.

A shadow analysis has been undertaken by SJB (refer **Appendix B**), assessing the proposed overshadowing impacts of the proposed indicative concept in relation to the surrounding context during mid-winter. As demonstrated in **Figure 35**, the proposal will result in a very minor overshadowing impact in the early morning period at midwinter to low density residential dwellings south of Captain Cook Drive. However, this impact is considered acceptable as the shadow impacts are limited to 15-30 minutes before 9:30am at midwinter, and the shadow impact is non-existent by 10am onwards.

In addition, the proposed overshadowing impacts to Solander Fields to the east will be acceptable. As detailed in **Figure 35**, the Indicative Concept generally does not overshadow the fields between 9am to 11am in mid-winter providing circa 2 hours of direct, uninterrupted solar access in mid-winter maintaining existing amenity and environmental conditions for growth of the grass. Between 1pm and 3pm at mid-winter, the site begins to overshadow the western portion of the fields but maintains solar to the majority of the fields.

Overall the shadow impact is considered minor and acceptable due to the extent of impact being generally confined to the western boundary. Additional controls are contained in the site specific DCP (refer **Appendix J**) to ensure adequate solar access to Solander Fields is achieved.

Figure 35 Shadow Analysis



Source: SJB

The Urban Design Report also assesses solar access provision for areas of public open space within the site. It demonstrates that areas of public open space achieve a minimum of 50% direct sunlight to the principal usable part of the private open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid winter).

### Visual Impact

A visual impact assessment has been undertaken by SJB and forms part of the Urban Design Report package (refer **Appendix B**). The assessment takes into consideration the proposed visual impacts of the development upon the surrounding context. The assessment provides an overlay of the potential building envelopes envisaged within the concept plan on photographs from the surrounding context, in order to demonstrate the potential visual impact of the development. The Assessment includes analysis from four views that are further away from the site, and 10 views that focus on public views towards the site and includes the approach to the site along Captain Cook Drive, from the surrounding public open space, the foreshore shared path as well as surrounding residential streets.

The proposed building envelopes and the distribution of built form across the site has been developed with consideration on potential view impacts to the skyline, coastline glimpses, open space views, and local character views from the public domain and private residential dwellings. Refer to selected extracts of the View Analysis Study in **Figure 36**.

The site itself is characterised as being relatively low laying and flat and there are limited elevated points within the extents of the surrounding area. The urban design analysis noted that Caringbah Station, which is located some 2km south west of the site, is the nearest highest point within the extents of the map and sits at R:58.5 (and continues to rise to a maximum RL 65 to the south). As a result, there are limited opportunities where the subject site is visible from an elevated position.

In terms of views further away from the site, the proposal sits comfortably within the surrounding context as illustrated in **Picture 13** and **Picture 14**. The height and density of the proposal when viewed from Riverside



Park (opposite side of Woollooware Bay) is generally consistent with the built form of existing buildings located along the foreshore. The proposal is generally concealed below the existing tree canopy when viewed at the intersection of Gannons Road/ Burraneer Bay Road.

Within the immediately surrounding area, the proposal is generally concealed by the existing tree canopy when looking north east along Captain Cook Drive (refer **Picture 15**). When viewed in the opposite north western direction along Captain Cook Drive, the proposal is generally concealed by existing residential buildings associated with the Sharks Leagues Club redevelopment (refer **Picture 16**). The proposal becomes most prominent in the views immediately in front of the site (i.e. along the shared cycleway, at the Gannons Road/ Captain Cook Drive intersection and from Solander Playing Fields).

Views from these locations can be treated as part of the detailed design phase forming part of future detailed development applications to include modulation of the building envelopes through façade articulation, material selection and architectural massing as well as landscaping which will reduce the perceived scale of the envelopes and moderate the visual impact on the local environment.

Overall, the proposed visual impacts associated with the development are considered to be negligible.

Figure 36 Visual Impact Assessment



Picture 13 View A - Riverside Park



Picture 14 View D – Intersection of Gannons Road and Burraneer Bay Road



Picture 15 View 3 – Looking north east along Captain Cook Drive



Picture 16 View 8 – Looking north west along Captain Cook Drive



## Traffic

A Traffic and Parking Impact Assessment (refer **Appendix D**) was prepared by McLaren Traffic Engineering and assesses the proposed developments anticipated traffic generation, parking and access impacts upon the area and the local road network.

### Parking Assessment

Parking for the proposed mixed-use development envisaged in the Urban Design Report has been adopted with consideration of the *Sutherland Shire Development Control Plan 2015*, and the *RMS Guide to Traffic Generating Development* rates. The minimum parking rates for the proposed mix of uses are detailed in **Figure 37**.

Figure 37 DCP Car Parking Requirements – Proposed Masterplan

Land Use	Scale	Rate	Parking Required
Industrial	1,825m <sup>2</sup> GFA	1 per 100m <sup>2</sup> GFA	18.25
Industrial Ancillary Office	3,943m <sup>2</sup> GFA	1 per 30m <sup>2</sup> GFA	131.4
Warehouse	24,033m <sup>2</sup> GFA	1 per 300m <sup>2</sup> GFA	80.1
Warehouse Ancillary Office	7,285m <sup>2</sup> GFA	1 per 30m <sup>2</sup> GFA	242.8
Commercial Office	97,173m <sup>2</sup> GFA	1 per 45m <sup>2</sup> GFA	2,159.4
Food and Beverage	3,708m <sup>2</sup> GFA	1 per 45m <sup>2</sup> GFA	82.4
Hotel	125 rooms	1 per 4 rooms	31.3
	20 staff <sup>(1)</sup>	1 per 2 staff	10
Total	-	-	2,756

Note: 1 – Staff numbers are estimated / assumed and will be required to be determined in detail during the DA stage

Source: McLaren

As detailed in **Figure 37** above, the proposed uses at the site are expected to generate 2,756 car parking spaces to comply with Council's DCP requirements. The proposed masterplan indicates the provision of 1,4448 car parking spaces, or a shortfall of 1,308 car parking spaces. A discount of required parking could be supported for the reduction in retail and food and beverage facilities as this could be considered ancillary to the office component of the site. Adopting this approach would result in a reduction of 41 spaces. Nevertheless, this would still result in a significant shortfall of parking that would need to be addressed through the following:

- *Expand bus services along Captain Cook Drive and provision of a new bus stop.*
- *Connect to existing bicycle and pedestrian facilities.*
- *Restriction to staff density within the site, such as a percentage of workers working from home.*

The sites car parking provision will be determined throughout future detailed DA submissions.

The Assessment considers the proposed disabled car parking requirements per the National Construction Code 2019 (NCC) – Volume 1 – Building Code of Australia's Table D3.5. The estimated car parking provision for the site is 32 spaces. Each building is intended to provide the required accessible parking spaces throughout future detailed development applications.

The motorcycle requirement for the site is 111 spaces. The provision of these spaces will be detailed through the submission of future detailed development applications.

The bicycle requirement for the site is 148 bicycle spaces. It is intended that the site will provide the compliant bicycle facilities throughout the submission of future detailed development applications.

The servicing and loading provision for the proposal is anticipated to be 45 areas. These specific servicing and loading requirements including the size of vehicles accessing these areas, will be determined through further detailed traffic and parking assessments during future DA submissions.

Due to the internal road layout, the site will limit access to and from the intersection of Gannons Road / Captain Cook Drive by vehicles up to a 12.5m length Heavy Rigid Vehicle to service the office and retail

components, whilst 19m length Articulated Vehicles if required will be restricted to Endeavour Road to service the industrial components of the site.

Further, the sites car parking layout will ensure compliance with the relevant Australian Standards in regard to driveway access, circulation areas and on-site parking areas. These details would form the part of future detailed traffic and parking studies submitted with DA submissions.

In summary, the proposed development will need to consider the relevant requirements for car parking, bicycle parking, motorcycle parking and loading and access arrangements under future detailed development applications. Due to the size of the site and staged development of the site, the proposal will be capable of accommodating these facilities.

### Traffic Assessment

McLaren Traffic Engineering have conducted a traffic generation estimate for the proposed development based upon the Roads and Maritime *Guide to Traffic Generating Developments 2002* (Guide 2002). Application of these trip rates to proposed Masterplan will result in the following predicted trip generation volumes in **Figure 38**.

Figure 38 Estimated Traffic Generation – Proposed Masterplan

Use	Scale	Peak Period	Generation Rate	Trips	Split
Industrial	1,825m <sup>2</sup> GFA	AM	1 per 100m <sup>2</sup>	19 <sup>(1)</sup>	15 in, 4 out
		PM			4 in, 15 out
Industrial Ancillary Office	3,943m <sup>2</sup> GFA	AM	2 per 100m <sup>2</sup>	79 <sup>(1)</sup>	63 in, 16 out
		PM			16 in, 63 out
Warehouse	24,033m <sup>2</sup> GFA	AM	0.5 per 100m <sup>2</sup>	121 <sup>(1)</sup>	97 in, 24 out
		PM			24 in, 97 out
Warehouse Ancillary Office	7,285m <sup>2</sup> GFA	AM	2 per 100m <sup>2</sup>	146 <sup>(1)</sup>	117 in, 29 out
		PM			29 in, 117 out
Commercial Office	97,173m <sup>2</sup> GFA	AM	2 per 100m <sup>2</sup>	1,943 <sup>(1)</sup>	1,555 in, 388 out
		PM			388 in, 1,555 out
Food and Beverage	3,708m <sup>2</sup> GFA	AM	1 per 100m <sup>2</sup>	37 <sup>(1)</sup>	30 in, 7 out
		PM	1 per 100m <sup>2</sup>		7 in, 30 out
Hotel	125 rooms	AM	0.4 per room	50 <sup>(2)</sup>	25 in, 25 out
		PM			25 in, 25 out
TOTAL	-	AM	-	2,395	1,902 in, 493 out
		PM		2,395	493 in, 1,902 out

Note: (1) Assumes 80% inbound, 20% outbound during AM peak: Vice versa for PM peak.

(2) Assumes 50% inbound, 50% outbound during AM peak and PM peak hour period

Source: McLaren

As detailed above, the estimated traffic generation associated with the proposed masterplan will result in 2,395 vehicles trips in the AM peak hour period (1,902 inbound, 493 outbound) and 2,395 vehicles trips in the PM peak hour period (493 inbound, 1,902 outbound).

During the assessment of the masterplan development, multiple access strategies will be assessed under the above trip distribution. The access strategies that will be assessed are detailed below.

### Intersection Performance

The following section assesses the above traffic generation, existing traffic volumes and associated traffic from the approved Stage 3 and 4 Sharks Development, providing a comparison between the existing intersection operations to the future scenarios under the increased traffic load. SIDRA Intersection 8.0 has been used to assess the intersection performance under the following four scenarios:

- Scenario 1 – Assesses the proposed development under the existing road infrastructure.

- Scenario 2 – Assesses the proposed development in the event of a signalised intersection at Captain Cook Drive / Gannons Road / Site Access.
- Scenario 3 – Assesses the proposed development under a signalised intersection at Captain Cook Drive / Gannons Road / Site Access and a New Signalised Intersection at the bend in Captain Cook Drive at the south west corner of the site along with a short new road providing connection between Captain Cook Drive and Endeavour Road.
- Scenario 4 – Assesses the proposed development under the same as Scenario 3, except it includes a signalised intersection at the Endeavour Road / Captain Cook Drive intersection to allow right turn movements from Captain Cook Drive into Endeavour Road to be maintained.

Out of the four (4) above access strategies assessed under the proposed masterplan development, Scenarios 1 to 3 resulted in an unacceptable traffic impact upon the surrounding road network. Scenario 4 was the only access strategy resulting in acceptable traffic impacts under the proposed masterplan development, which required the provision of three (3) signalised intersections as follows:

- Signalised intersection at Captain Cook Drive / Gannons Road;
- Signalised Intersection of Endeavour Road / Captain Cook Drive;
- Signalised Intersection of new Endeavour Road / Captain Cook Drive.

Based on the above, it is evident that the Scenario 4 approach is the appropriate access strategy to accommodate the traffic generated by the proposed development. The detailed SIDRA modelling demonstrates that all three intersections are forecast to operate at a level of service between LoS “A” to LoS “C” during the AM and PM peak hour period respectively. This indicates acceptable delays and spare capacity.

A preliminary mark-up plan has been provided within **Appendix D**, for the potential signalised intersection of new Endeavour Road / Captain Cook Drive and Captain Cook Drive / Gannons Road. Further detailed design and assessment of the required road infrastructure will form part of future detailed development applications and extensive consultation with road authorities.

The report has also considered the traffic generation potential under Stage K (i.e., demolition of the central warehouse and increase in floor space). This potential future stage results in 3,288 vehicle trips in the AM and PM peak hour period respectively. The detailed SIDRA results indicate all intersections under this scenario are operating at acceptable levels apart from the new Endeavour Road approach which is not operating satisfactorily. Considering this an infrastructure upgrade will be required for this section to reduce queue lengths. To accommodate the proposed development traffic impact under the redeveloped warehouse scheme, the following additional upgrades will be required:

- The intersection of Gannons Road / Captain Cook Drive will be required to be upgraded to provide a left turn low angle slip lane from the site access.
- The intersection of Captain Cook Drive / New Endeavour Road will be required to be upgraded to provide three (3) right turn lanes onto Captain Cook Drive.

By incorporating these infrastructure upgrades, the new Endeavour Road approach is operating at LOS B with vehicle queues of up to 187m during the PM peak hour period.

#### Impacts of Road Infrastructure

Resulting from the proposed road infrastructure, the report details a number of considerations that will need to be discussed and worked through with the relevant road authorities and local businesses and community stakeholders.

#### Timing of Road Infrastructure

The recommended staging of road infrastructure is as follows:

- Prior to Any Stage:
  - The intersection of Endeavour Road / Captain Cook Drive is required to be temporarily upgraded prior to any occupation due to the existing failing intersection under the existing traffic conditions plus the Sharks Stage 3 & 4 development.

- Prior to Stage D:
  - The intersection of Captain Cook Drive / Gannons Road is to be upgraded to Figure 5 prior to occupation of Stage D.
- Prior to Stage G:
  - The intersection of Endeavour Road / Captain Cook Drive, plus the newly proposed intersection at Endeavour Road / Captain Cook Drive are to be constructed prior to occupation of Stage G
- Prior to Stage J (Warehouse Redevelopment):
  - The intersection of Captain Cook Drive / Gannons Road is to be upgraded prior to occupation of Stage J.
  - The intersection of Captain Cook Drive / Endeavour Road is to be upgraded prior to occupation of Stage J.

### **Civil Concept**

A Civil Concept and Flooding Assessment (**Appendix I**) was prepared by Sparks + Partners Consulting Engineers and assesses the proposed uses at the site against Councils requirements in regard to flooding, foreshore development and stormwater management.

#### *Flooding*

The report determined that the site was identified as flood prone under the Woollooware Bay Catchment Flood Study, with portions of the site identified as “known risk”. Consequentially, a Flood Certificate has been obtained and appended to the report. The flood certificate mapping determined that several areas of the site were flood affected. These areas include the Endeavour Road frontage, Gannons Road intersection and the north-east corner of the site. All areas contain low hazard 1% AEP floodwaters, portions of floodway, flood storage and flood fringe hydraulic categories.

The following will form the basis of the flood analysis and assessment to satisfy the Council requirements and support the planning proposal:

*WMAwater have been engaged to provide site specific flood analysis for the existing site and the proposed development. Detailed analysis results will be provided in DA submissions for the site.*

*Climate change and predicted sea level rises have been incorporated into the flood modelling, in accordance with Council Sea Level Rise Policy November 2016.*

*DCP Chapter 40 defines the Commercial and Industrial Land Use Category to include the following uses: office ,retail and bulky goods premises, entertainment facilities, function centres, hotel and motel accommodation, industries, warehouse and distribution centres.*

The assessment determined that the proposed uses at the site will not change how flooding is currently managed on site or assessed under future detailed DA submissions.

#### *Foreshore Development*

The north-east portion of the site borders Woollooware Bay and is subject to a coastal wetland buffer zone. This part of the site is low-lying and consists of an array of landscaping. Flooding analysis determined that presently a mix of floodwaters and water from Woollooware Bay inundate this portion of the site during heavy storms. Under the proposal, the foreshore buffer will still allow the inundation with floodwaters. Therefore, the proposed uses under the planning proposal will not result in a detrimental effect on the development maintaining the foreshore buffer.

#### *Stormwater Management*

The proposal will require to both utilise existing and construct new stormwater infrastructure. Presently, the existing site stormwater discharges at various points to Captain Cook Drive, Endeavour Road and the drainage channel along the north-western boundary. It is intended that the stormwater management system will divide the site into separate sub-catchments for each discharge point. This design will be developed in



accordance with Council's Specification Stormwater Management 2009 and detailed throughout design drawings to accompany any future DA submission.

The proposed uses at the site are not intended to alter how the site stormwater is currently managed. Further detailed stormwater management measures will be incorporated into any future DA submissions.

#### **Q9. Has the planning proposal adequately addressed any social and economic effects?**

##### **Social Impact**

The proposal will have the following positive social impacts on the immediate and surrounding locality:

- Opportunity to celebrate the ecological attributes of the site and surrounds through the retention and creation of new landscaped areas connecting to the Woollooware Bay Foreshore and Solander Fields.
- The proposal will improve walkability through providing extensive pedestrian connections throughout the site. The refocus towards an active transport network will provide tangible benefits through increased daily activity, improved social wellbeing and interaction.
- The proposal will activate a significant parcel of land which has remained under private use for several decades. The reactivation of the site will create an inclusive and inviting mixed-use business park precinct that will encourage investment and visitors to the area.
- Increased sustainability through high quality building design, and extensive landscaping that contributes to the urban tree canopy and reduce the urban heat island effect.
- The proposal will have destination appeal and provide places for people to meet, gather and socialise.

##### **Economic Impact**

Urbis have prepared a Economic Benefits Assessment (refer **Appendix E**) that outlines the positive economic impacts of the proposal on the immediate and broader community and region. In summary, the proposal will have the following economic benefits:

- The proposal will provide 1,050 direct and indirect construction related jobs over the 20-year construction period.
- \$443.6 million Gross Value Added (GVA) to the NSW economy from construction, in net present value terms.
- A net uplift of 9,101 direct and indirect jobs supported on site and in the surrounding region on an ongoing basis during operation of the office, retail, industrial, hotel and recreation components of the proposed development.
- A net uplift of \$1,345 million of average annual direct and indirect GVA contribution to the State economy on an ongoing basis, in net present value terms.
- The proposed development will accommodate jobs for the Sutherland Shire LGA resident workers who currently travel elsewhere outside of the LGA for work, therefore making a positive contribution to employment retention within the LGA.

## **8.4. STATE AND COMMONWEALTH INTERESTS**

#### **Q10. Is there adequate public infrastructure for the planning proposal?**

The proposal does not seek to change the zoning of the land or increase the permissible density of development. While a change to the FSR control is proposed, this is to account for the GFA that would have been achievable on the site prior to dedication of 3,000sqm of land to Council for the purposes of public open space.

The increased height and addition of permitted uses is not likely to change the infrastructure requirements to facilitate the masterplan. Detailed investigations of the existing and likely required infrastructure will be undertaken by the Proponent as part of the detailed investigations and will form part of future development application(s) to Sutherland Shire Council. The Traffic and Transport Report (refer **Appendix D**) has identified likely anticipated upgrades to existing intersections and the road network.

This Planning Proposal is still in a preliminary stage. The Gateway Determination will advise the public authorities to be consulted as part of the Planning Proposal process. Any issues raised will be incorporated into this Planning Proposal following consultation in the public exhibition period.

This Planning Proposal seeks to amend the below maps contained in the Sutherland Shire LEP 2015. The maps have been prepared which show the proposed building height and FSR controls for the site and inclusion of the site on the Additional Permitted Uses Map (refer to **Figure 39**, **Figure 40** and **Figure 41**). The proposed maps are consistent with the intended outcomes for the Planning Proposal as identified in **Section 7.1**.

This Planning Proposal seeks to amend the Height of Buildings Map under the Sutherland Shire LEP 2015, as identified in **Figure 39**.

[illegible]

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## 8.5.2. Floor Space Ratio

This Planning Proposal seeks to amend the Floor Space Ratio Map under the Sutherland Shire LEP 2015, as identified in **Figure 40**.

Figure 40 Proposed Floor Space Ratio Map



### 8.5.3. Additional Permitted Uses

This Planning Proposal seeks to amend the Additional Permitted Uses Map under the Sutherland Shire LEP 2015, as identified in **Figure 41**.

Figure 41 Proposed Additional Permitted Uses Map



Source: Urbis

## 8.6. COMMUNITY AND AGENCY CONSULTATION

Division 3.4 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the gateway determination. It is anticipated that the Planning Proposal will be publicly exhibited for at least 28 days in accordance with DPIE's 'A Guide to Preparing Local Environmental Plans'.

At a minimum, the notification of the public exhibition of the Planning Proposal is expected to involve:

- A public notice in local newspaper(s);
- Notification on the Sutherland Shire Council website; and
- Written correspondence to owners and occupiers of adjoining and nearby properties and relevant community groups.

In addition, as required by the Gateway determination, consultation will be required with the following public authorities/ organisations under section 3.34(2)(d) of the EP& Act:

- Environment Protection Authority
- Fisheries NSW
- Transport for NSW
- Environment, Energy and Science (EES) Group of DPIE
- Water NSW
- Ausgrid

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.



## 8.7. PROJECT TIMELINE

The following table sets out the anticipated project timeline in accordance with the DPIE guidelines.

Table 8 Anticipated Project Timeline

Process	Timing
Planning Proposal submitted to Sutherland Shire Council	September 2020 (completed)
Local Planning Panel	16 March 2021 (completed)
Council Meeting	24 May 2021 (completed)
DPIE issue Gateway Determination	19 August 2021 (completed)
Applicant response to matters in Gateway Determination (eg updated reports)	August – November 2021
Public exhibition and agency consultation	November 2021
Post exhibition review of submissions	December 2021– March 2022
Consideration of PP by Council	April 2022
Submission to RPA for finalisation	April 2022
Legal drafting of LEP	May 2022
Gazettal of LEP	June 2022

## 9. CONCLUSION

The objective of this Planning Proposal is to support a change to the building height development standard, FSR control (to facilitate land dedication) and land use controls to facilitate the site's renewal into a high-amenity and activated business park. Specifically, this Planning Proposal seeks:

- An addition to Schedule 1 Additional Permitted Uses to facilitate the permissibility of 'hotel or motel accommodation', 'pub' and 'function centre' (up to 12,500m<sup>2</sup>) on the site.
- Maximum building heights across the site ranging between 25m, 30m and 50m.
- Maximum floor space ratio control of 1.53:1.

This Planning Proposal to amend the *Sutherland Shire Local Environmental Plan 2015* has been prepared in accordance with the relevant provisions of the *Environmental Planning & Assessment Act 1979*, the regulations, applicable Local Planning Directions and the guidelines for the preparation of LEP amendments.

It is recommended that Council resolves to support this Planning Proposal that facilitates the proposed amendments to the Sutherland Shire LEP 2015 for the following reasons:

1. The proposal is entirely consistent with Greater Sydney Region Plan, South District Plan and Draft Sutherland Local Strategic Planning Statement. Specifically, the proposal seeks to protect, retain and maximise the development potential of a strategically important employment site in the Sutherland LGA while enabling complimentary land uses that are critical to establishing a high-amenity, vibrant and successful new business park.

The proposed 'pub' additional permitted use is not dissimilar in role and function to other retail uses that are currently permissible in the B7 zone, and will play an ancillary and complimentary role by primarily serving the expectant and existing workforce of the site and broader Taren Point/ Caringbah Industrial Precinct. . Similarly, the function centre is a logical use to support employment uses on the site for events.

The proposed hotel or motel accommodation additional permitted use is highly aligned with the South District Plan and LSPS which identifies this use as a targeted industry sector and encourages development for this purpose.

To ensure the complimentary role of the additional permitted uses to provide facilities for the day to day needs of workers, it is proposed to limit the amount of additional permitted uses on the site up to 12,500sqm.

2. The Planning Proposal has site specific merit due to the following:
  - The availability of a large site able to accommodate a significant quantum of employment floor space, that is undersupplied within Metropolitan Sydney and the LGA, and largely unachievable on other sites.
  - Greater building height can be achieved on the site while balancing acceptable environmental impacts to the adjacent low density residential and open space zones.
  - Owing to the scale of the site, the proposal can incorporate complementary uses while maintaining its main role as an employment precinct. These complimentary uses play a critical role in the success of the business park and will provide opportunities to enhance the site's activation especially after business hours.
  - The proposal provides opportunities to protect and enhance its environmental qualities through the creation of a 40m buffer zone, retention of much of the existing native vegetation and provision of substantial new landscaping throughout the site.
  - Can adequately address the opportunities and constraints of the site as outlined in this report and in the supporting studies appended.
3. The Planning Proposal will provide numerous economic benefits including:
  - Provision of approximately 144,000sqm of strategically valuable employment floor space.
  - 1,050 direct and indirect construction related jobs over the construction period.

- 9,101 direct and indirect jobs supported on site and in the surrounding region on an ongoing basis during operation of the office, retail, industrial, hotel and recreation components of the proposed development.
- A positive contribution to employment retention within the LGA.

In accordance with the above, we believe the proposed amendments to the LEP are appropriate in that they are consistent with the State's strategic direction and will provide a vibrant mixed-use Precinct.

# DISCLAIMER

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.



## **APPENDIX A**

## **SURVEY PLAN**

## **APPENDIX B**

## **URBAN DESIGN REPORT**

## **APPENDIX C**

## **LANDSCAPE MASTERPLAN**

## **APPENDIX D**

## **TRANSPORT ASSESSMENT**



## **APPENDIX E**

## **ECONOMIC BENEFITS ASSESSMENT**

## **APPENDIX F**

## **REMEDIAL ACTION PLAN**

## **APPENDIX G**

## **GEOTECHNICAL REPORT**

## **APPENDIX H**

## **ECOLOGY ASSESSMENT**

## **APPENDIX I**

## **CIVIL CONCEPT AND IMPACT ASSESSMENT**



## **APPENDIX J**

## **SITE SPECIFIC DEVELOPMENT CONTROL PLAN**

## **APPENDIX K**

## **ACID SULFATE SOIL MANAGEMENT PLAN**

